

Bojorques
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BARTOLOME FRANCISCO BOJORQUES, b. 25 Aug. 1780, bap. 27th. " Misn. Sta. Clara, ¹
Book I #217, Fr. Murgia. his birthplace, Calif.
Grantee of Laguna de San Antonio.
Padrinos: Jose Dionisio Bernal & Maria Gertrudis
See Part I for details Pacheco wife of Zeferino Lugo. 1st. Misn. site.
on parents. Pts: Pedro Antonio Bojorques & wife Maria Angela
de la Luz Trejo.

wife:

MARIA NICOLASA LINARES, b. 9 Sep. 1784 at Misn. Sta. Clara, bap. 12th. " #680 by Fr.
Diego de Noboa. Sponsors: Manuel Ramirez Arrellano & Maria
Agueda Lopez.

Pts: Ygnacio Jose Antonio Linares, Indian recruited at Tubac
Presidio by Juan Bautista de Anza. Veteran soldier of
2nd. de Anza exp. 1775-76. His pts. Gregorio Linares &
Manuela Gonzales did not come to Calif. Settler at San
Jose in 1784, Indian in 1790 census, retired in 1793 " .
His wife was Maria Gertrudis Rivas, pts. unknown. They
had 11 children born in Sonora, Mexico and California.
She was of Spanish descent.

Marriage: Nov. 1803, Misn. Sta. Clara. Vol. I #1060, Bartolome Bojorques, 20 native of
the Pueblo of San Jose; with Maria Nicolasa Linares, 17, daughter of the lat
Ygnacio/Linares and Gertrudis Rivas: (Fr.) Viader.

Note: this marriage took place at the 2nd. Misn. site, see map. Part I.

d. 4 Sep. 1863, Chileno Valley, Rancho Laguna de San Antonio, Marin side. bur. in Pet-
aluma but whether at Oak Hill now a park or Cypress Hill still a cemetery is unkn-
own. His adobe had burned in the 1850's and he lived in a wood house evidently at
the time of his death. His wife, Maria Nicolasa Linares d. 26 Apr. 1869, heart,
and was buried in Petaluma and is listed in an old ledger at the Parent Funeral
Chapel.

Children:

JUANA MARIA, b. 16 Aug. 1804, San Francisco Presidio, bap. 18th, ", Misn. S.F. de Asis
by Fr. Ramon Abella, #3096. Sponsors: La Barrosa & Josefa Sanchez.

She had a natural daughter before her 1st. marriage.

m. 1. Richard William Williams, 16 June 1830, Misn. Sta. Clara, He was
from Devon, England.

m. 2. Jose Ygnacio Teodoro Higuera, 30 Nov. 1835, Misn. San Rafael

m. 3. Andrew Johnson who dug up a can of money she had buried and disa-
ppeared.

d. 23 Apr. 1872, at home nr. Olema, Marin Co. bur.? See section on her.

2. JUAN, b. 16 Dec. 1806, San Jose, Cal. bap. 18th. ", Misn. Sta. Clara. Sponsor: Mar-
ia Luisa Bottillier.

m. 1835 ? to Maria Loreto Pelagia Berreyessa. They later re-married in the
U.S. period.

d. After 1880, San Jose.

3. ANGEL MARIA de la Luz, b. 1 May 1809, San Jose, bap. 6th, ", Misn. Sta. Clara by
Fr. Catala. Sponsors: Juan Bojorques (his uncle) and
Rosa Linares (Maria Rosa Egidia Linares, his mother's
younger sister.

m. 1. Maria Gabriella Josefa Altimirano, 7 Feb. 1831, Misn.

m. 2. Maria Clara Lorenza Higuera - ? Sta. Clara.

d. 31 July 1868, smallpox ? bur. Calvary, Petaluma

4. MARIA JOSEFA JUSTINA, b. 25 Sep. 1811, bap. 28th. Misn. S. F. de Asis, #4424 by Fr.
Juan Sainz de Lucio. Father soldier of the Presidio. Spon-
sors: Jose Ant. Aguilar & Maria Soledad.

d. 20 Sep. 1812, bur. Misn. Sta. Clara

5. JOSE YGNACIO de JESUS, b. 7 June 1814, San Jose, bap. 9th. Misn. Sta. Clara, #6204
by Fr. Viader, Sponsors: Ygnacio Alviso & Margarita Bernal
Single. At Sonoma Dec. 4, 1834 with M.G. Vallejo's troops
d. June 1847, died suddenly. bur. 16th. Mission Santa Clara

- 6. JOSE GERARDO (called Geraldo), b. 3 Sep. 1816, S.F. Presidio, bap. 4th " Misn. S.F. de Asis. Sponsors: Jose Anto. Aguilar & wife Maria Soledad.
m. 12 Nov. 1839, Misn. Sta. Clara to Maria Francisca Valencia
d. 1893, Inspiration Point, Sta. Monica Canyon
- 7. PEDRO DOLORES, b. 7 July 1819, S.F. Presidio, bap. 8th. " Misn. S.F. de Asis by Fr. Juan cabot. Sponsors: Marcos Altimirano & Petra Pacheco
m. 1 June 1848, Misn. S.F. de Asis to Maria Luisa Duarte
d. 9 Feb. 1880, Petaluma, consumption.
- 8. MARIA TEODOCIA, b. 29 May 1822, San Jose. bap. 30th. " Misn. Sta. Clara. Sponsors: Leandro Galindo & Ma. Ygnacia Villavicencio wife of Marcos Altimirano. Fr. Catala
m. 1. Victor Pradon, 18 Aug. 1840, Misn. Sta. Clara
m. 2. Julio Maria Carrillo, Sep. 1862, St. Vincent de Paul's, Petaluma
d.
- 9. MARIA MARCELLA, b. 22 Feb. 1825, San Jose. bap. Misn. Sta. Clara by Fr. Viader. Sponsors: Juan Bojorques & Paula Sepulveda
m. 1. Jose de Jesus Lopez, 25 Feb. 1844, Misn. San Rafael
m. 2. John Slert, 20 Jan. 1856, L.A. Plaza Church
d. 14 Jan. 1896, Santa Monica, bur. "
- 10. MARIA ANGELINA de la LUZ, b. Oct. 1831, bap. 8 Oct. ", Misn. S.F. de Asis, Sponsors: Jose Sanchez & wife Ana Josefa Soto.
Natural son year before 1st. marriage
m. 1. Henry Howe, 3 Nov. 1849, Misn. S.F. de Solano
m. 2. Faustino Antonio Talamantes, 2 Sep. 1872, St. Vincent de Paul's, Petaluma
d. 7 May 1901, home on fairgrounds, Petaluma
bur. 9th. ", Howe Plot, Calvary, Petaluma

Misc. data on Bartolome Francisco Bojorques - enlistment

- Bojorques, Bart, Pts: Pedro & Angela Trejo, ae. 17, at S.F. 11/5/98
- 1798, 1st. June. Witness to the wedding of Joaquin Soto & Maria de la Luz Berreyessa, other witnesses, Francisco & Carlos Castro. His bro. Hermenegildo read the bans with Jose Dolores Mesa who was mayordomo at Misn. San Jose.
- 1815, Mayordomo for Don Luis Arguello at Rancho Las Pulgas (the fleas) San Mateo Co. at that time still a national rancho
- 1822, may or may not have been on trip with Arguello to order Russians to leave Fort Ross, etc. Party stopped at San Vicente on the northern Frontier, a military outpost in 1811 when Russians were first encountered there in Calif. Their courier rode in to the astonishment of the Spanish. Chileno Valley crossroads area? Amayelle was an Indian Village of the Miwok here. San Vicente seems to have been the name of the valley from San Pablo Bay towards Tomales Bay.
- 1824-25, Regidore at Pueblo de San Jose, Juan Miranda was secretary and later grantee of Rancho Arroyo de San Antonio on the east boundary of Rancho Laguna de San Antonio of Don Bojorques.
- 1835, Dec. 13. Elector, primary election at Plaza of Misn. S.F. de Asis. H.H. Bancroft thinks at the presidio. Bartolo Bojorques, Jose C. Sanchez, Ignacio Peralta, Joaquin Estudillo, Candelario Valencia.
- 1836, June, at Sonoma.
- 1837, 16 May. M. G. Vallejo at Sonoma gives permission for Bartolome Francisco Bojorques to settle at Laguna de San Antonio and a log palizada was built.
- 1839, main adobe built
- 1844, William Benitz from Germany draws a diseno (map) of Rancho de Bartolome Bojorce

- 1845, Land grant of Rancho Laguna de San Antonio made final by Governor Pio Pico.
- 1846, 20 June, Bear Flaggers take four prisoners at Laguna de San Antonio, names not given, two others escape. Henry L. Ford gets information that Juan Padilla and his men are at Olompali. Bear Flaggers ride there and surprise the Californios at breakfast. The Californios mount their horses and charge the Bear Flaggers who have taken cover and Manuel Cantua is killed and the Californios retreat to San Rafael.
- 1850's, Adobe of Bartolome Bojorques burns and he lives 150-300 feet s.e. of its site.
- 1853, 5 Mar. Bartolome Bojorques testifies for Juan Martin of Rancho Corte de Madera. This rancho was on the south boundary of Rancho Laguna de San Antonio.
- 1860, Bartolome Bojorques testified in Gates vs. Salmon
- 1860, Census, San Antonio Township, June 1
 Bartolome Bojorques 100 m farmer Value of real estate \$1000 personal estate
 Nicolasa 100 housewife can't read or write. \$300
 Vetro 10 m laborer (son of his youngest daughter ?)
- 1861, Testified for his compadre Jose ("Antonio") Sanchez on Rancho Buri Buri in San Mateo Co. Sanchez's daughter Hilaria m. Juan Reed and she was sponsor for Jose de Jesus Williams with Bartolome Bojorques. The child was his grandson, b. 18-31. Juan Reed from Ireland was grantee of Rancho Corte Madera del Presidio (Cut of Wood of the presidio) The main timbers of his mill still stand in a park in Mill Valley.
- 1863, Bartolome Francisco Bojorques died.

In 1860 the agricultural census listed 8 acres for Bartolome Bojorques \$1.000 cash value of farm, \$50 farm implements, 1 horse, 4 milch cows, 2 working oxen, \$200 value of live stock.

The 1853 ledger of James Black, back of p. 207, assessor for Marin Co.

- 1600 Tustin (early American settler)
- 2500 Bart (Bojorques)
- 1500 Howe (son in law)
- 2952 Pedro (son)
- 2000 Anacle (Angel, son)
- 200 Talemtn (son in law)
- 150 Hawlitttle (early American settler)
- 14.102 P. B. Hewlett ?
- 2000 Lopez (son in law)

Note: the rancho was being sold off to pay taxes and probably the costs of the Federal land case of Laguna de San Antonio. I do not know if the Bojorques took cattle to the Gold Rush area like some of their contemporaries who made a lot of money till the half wild California cattle were superceded by oth-livestock. This prosperity was short lived.

How the Bojorques sold land after it was given by Don Bartolome Francisco Bojorques to his children for love and affection in described in Gates vs. Salmon. This printed trial was found in a lawyer's office in Petaluma when the building was being torn down. The land was not surveyed and divided. Buyers found that their boundaries overlapped. They claimed to have bought some of the same land from various members of the Bojorques family, they had chosen their own acreage. The case dragged on for years and boundaries were never completely settled evidently.

in the late 1960's. He was a gt. grandson of Don Bartolome Francisco Bojorques.

Signature of Don
 Bartolome Bojorques
 traced from Exped-
 iente 483, photo-
 stat from the copy
 in the National
 Archives, Social & Economic Records
 Division, Record Group 49

Bartolome Bojorques

Expedientes were the legal documents of the land grant consisting of the grantee's request for the land, description and the governments reply. It also served as a deed. Evidently there were two copies, one for the grantee and one for the Government archives in Monterey in the Customs House.

I do not know when Spanish explorers may have first gone up into the Marin-Sonoma region by land. In 1775 when San Francisco Bay was being explored a boat from the ship San Carlos went up Petaluma Creek.

In 1776 when the Presidio and Mission of San Francisco were being founded, Lt. Fernando Quiros with Jose Canizarés who drew an early map of the bay and Fr. Cambon went up Petaluma Creek in a boat to see if it connected with Bodega Bay.

In 1793 there was a plan to occupy Bodega (named by Lt. Bodega Y Cuadra in 1775 while exploring the coast in a thirty foot open boat) Lt. Goycochecha was to find a route for a road to Bodega. He started from S.F. with a sgt. and ten men to meet Juan B. Matute of the ship Aranzazu at Bodega. To what extent he explored or exactly where he went seem to be unknown and the project was abandoned.

By 1811 San Vicente de la Frontera del Norte in the Canada of the same name had been occupied. I don't know why.

H.H. Bancroft's History of California, Vol. II, pp. 294- tells of the first Russian incursion into California. Other than type all of it I will summarize. A proclamation to the California people had been sent from St. Petersburg, Russia to Sitka, Alaska. Before Mar. 1812 the document was received in Lower California and perhaps in the north. Russian authorities said (to Bancroft?) that it was brought by Capt. Ayres or by a confidential agent on his ship and then brought (by a courier) to San Vicente which was some kind of outpost of which I never have found any details. It was commanded by Manuel Ruiz. Capt. Ayres ship, the Mercury was at Drake's Bay in Nov. 1810. The proclamation was about how the Russians wanted to settle and trade with the Spanish in California, it was in three languages. On March 26, 1812 Commander Ruiz at San Vicente wrote to an unnamed person, probably the Russian agent, that he doubts trade will be permitted but that he had forwarded the proclamation to Gov. Goycochecha. This proclamation was instigated by the Russian American Co. with the approval of the Russian Government. I do not know when San Vicente was founded, how many men were there or why. Possibly it was being considered as a mission site. Mission San Rafael was founded later to the south in Dec. 14, 1817. I do not know when San Vicente was abandoned. On p. 463 Bancroft gives an account of the canon of Durango Cathedral, Agustin Fernandez de San Vicente, was accompanied by a party in 1822 to visit the Russian at Ft. Ross. He was accompanied by a priest; Fr. Payeras who wrote a diary. They started from Monterey and on to S.F. then were rowed to San Rafael, to Olompali (Sierra de Santa Lucia de Olompali) then 2 leagues n.w. to Arroyo (Creek) de San Antonio, 6 leagues n.w. into the hills and Canada de San Vicente, with two springs. Whether San Vicente was still at this time occupied by the Spanish I do not know. In vol. III, p. 196, tells how Governor Victoria had banished Jose Antonio Carrillo to San Vicente on the Frontier after he got into some obscure political troubles. P. 200 says that Carrillo came south to instigate a revolt against Victoria.

The former Shirley Joseph of Chileno Valley, in the late 1960s had sent an article Old San Vicente by Rose Linebaugh that had been published in the Pastimer of the Marin Co. Historical Society for Jan. 1945. Here is the article.

OLD SAN VICENTE

On October 20, 1822, there came riding up from San Rafael on a state journey to Bodega, two priests, Father Mariano Payeras, prefect of California missions, and Father Agustin Fernandez de San Vicente, canon of Durango Cathedral. They were accompanied by Captain Don Luis Arguello, who soon became first Mexican governor.

They rode five leagues north to Olmpali, two leagues northwest to the valley of San Antone Creek and then six leagues over many hills to a place called San Vicente where they camped. Here were two large springs, Father Payeras tells us in his diary. This place was known and named before this time so no doubt was an Indian village of importance.

On October 21, they rode 11 leagues to Bodega Bay.

Now where was San Vicente 13 leagues from San Rafael and 11 leagues from Bodega? Four years ago, I determined to find some trace of it. Father Payeras' journey was a light and rapid expedition, along the shortest trails and by established stations. He merely mentions the two springs of San Vicente.

Across the southern end of Chileno Valley is a divide which separates the creeks flowing south to form the San Antonio Creek and waters of Laguna de San Antonio on the north.

In the vicinity of Hans Juhl's old roadhouse, (the building is still standing) are some beautiful meadows where the creeks join to San Antonio Creek. The old hill trail from here led to Santiago de los dos Piedras (Two Rock). One of these creeks was called Pua (thorny) Creek.

Here at a later date was located OLD SPANISH TOWN. Now, had travelers followed the the trail on from here they could not have camped until they reached Santiago as there is no water on the ridge. Had they camped before they reached Pua Creek, they could not have traveled six leagues as Father Payeras states in his diary, from the valley of San Antonio. From this place along the old trails it is about 11 leagues to Bodega Bay.

I located two large springs a short distance south of Hans Juhl's old house. One of these is still called "Indian Water Hole" and the farmers tell me it supplies a great amount of water to them at this day.

I visited Mr. Wetmore, whose house is on a high meadow near the Indian Water Hole. He told me a large Indian village had been there and showed me the kitchen. By a rock pile near his house, was a flat rock probably six feet long and four feet wide with round pot-holes nine to ten inches in diameter ground out. They were about six inches deep--the size of the usual stone mortars of Indians. Here the squaws could stand and grind their acorns or grain as they visited and watched their papooses. From all of my observations, I believe this is the site of Old San Vicente --Rose Linebaugh

Note: It sounds like Rose Linebaugh got her information directly from a copy of the Payeras diary. She does not mention the 1811 incident when the Russian courier rode into San Vicente of the northern frontier nor the 1831 exile of Jose Antonio Carrillo to San Vicente of the frontier, both described by Bancroft previously cited. Payeras evidently does not mention a military outpost. An Indian village called Amayelle fits the site if the map of the area in A. L. Kroebers's Handbook of the Calif. Indians, p. 274, is compared to other maps. Amayelle is on the south side of San Antonio Creek about half way between Petaluma Creek and the entrance to Tomales Bay. The only puzzling thing is that it was six leagues from San Antonio Creek to San Vicente. Had they gone directly west along the creek it would only have half that distance, perhaps the creek area was too overgrown so it sounds like they went up to the future site of Petaluma where I think an outpost adobe once existed in the Petaluma valley. The large mortar at the Wetmore place is gone and its fate unknown as far as I know. Wetmore Lane leads off Chileno Valley Road to the San Vicente-Amayelle area where several homes are as well as the Wetmore house no longer occupied by that family. The former Shirley Joseph mentioned the Indian Rocks here which rise from the ground. In the Two Rock area outcroppings exist and in Verde Canyon on the way to Marshall.

Other events on which I will include more detail:

- 1824 - Mission San Rafael attacked by Indians who may have been tracked to the Laguna de San Antonio by pursuers.
- 1830 - Padre Amoros of Mission San Rafael discovers Russians at Santiago de las Dos Piedras - Two Rock Valley.
- 1834 - The Hajar - Padres colony from Mexico may have been sent to Laguna de San Antonio to be out of the way of Indians.
- 1837 - Don Bartolome Francisco Bojorques get permission to settle at the Laguna de San Antonio from M. G. Vallejo, commander of the northern frontier.
- 1846 - Bear Flaggers come to Rancho Laguna de San Antonio looking for Juan Padilla's men after the killing of Cowierand Fowler.
- d. 1849-50 - Joaquin Murrietta at Rancho Laguna de San Antonio.
- 1850's - influx of American settlers who buy land from the Bojorques and then each other.

H.H. Bancroft, Vol. II, p 597, footnote gives the Indian name of Laguna de San Antonio. Mission lands from the rancheria of Annamus, called San Pedro Alcantara, in the Corte de Madera, and the Rinconada del Tiburon. The grain land lands de temporal begin in the canada of Aranguos or San Pedro Regalado. Live stock feeds northward to the rancheria of Olompali, of Santisimo Rosario the chief being a Christian and farmer. Cattle graze in the canadas of Las Gallinas, Arroyo de San Jose, Novato, Colomache, Echatamal, and Olompali; the horses go farther to Ilemochoe, or San Antonio the stream dry in summer, rising in the Laguna of Ocolom, or San Antonio, the lands of which Join those of Novato, Colomache, and Echacamale, 'going round the hill.' Laguna of Ocolom seems to belong to the mission, but the natives are warlike.

This was in references to Mission San Rafael in 1824 and in that year the Mission was attacked by hostile Indians. The following is from Pen Pictures of the Garden of The World, An Illustrated History of Sonoma Co. I will give the gist beginning on p. 703. The article is about Edward T. Bale (Jr.) whose father's mill is a State Park Landmark in Napa Co. and his wife Francisca Juarez. She tells that her father Cayetano Juarez (one of whose adobes is a restaurant in Napa) enlisted in the military in 1827. That in Feb. 1849 (?) he was told by an Indian that citizens and soldiers at Misn. San Rafael had been driven out by 200 Indians. With five picked men he went from Sonoma to San Rafael and "started in pursuit of the hostile Indians. He overtook them at the Laguna, southwest of the present site of Petaluma," There was a skirmish and the Indians retreated and Juarez caught up with them at the rancheria of Wahluni near the site of Sebastapol and defeated them. He released 200 prisoners, civilized Indians. Juarez was wounded in the chest, an arrow having penetrated his leather jacket. He sent a courier to the S.F. Presidio and forty soldiers were sent and in a battle were defeated by the Indians at the site of Healdsburg. Juarez it says, was discharged from the military in 1836.

Bancroft, Calif. Vol. II, p. 598, while writing of Chief Marin and his aide Quintin, mentions this raid on Misn. San Rafael and that Corporal of the guard Rafael Garcia sent his wife and children with padre Amoros to S.F. on a bolsa raft. The 1880 Marin Co. Hist. p. 109, say Garcia with 3 or 4 soldiers repulsed the Indians after the raft was sent to S.F. Early Marin by Jack Mason, 1971, 76, p. 7,8, says the raid was caused by a riotous fellow who had killed an Indian and one account has Padre Amoros holding off the Indians himself and sending for soldiers only after failing. Broken Shore: The Marin Peninsula by Arthur Quinn, 1981, p. 68, says accounts of the attack are garbled and does not mention Garcia stating that the neophyte Indians formed a human shield around Padre Amoros and got him to the raft safely. None of these accounts mention a pursuit of the hostiles to a lake s.w. of Petaluma, the only lakes thereabouts would be Laguna de San Antonio or Ocolom and the Laguna lake to the west in Chileno Valley, if they had any part in this episode.

The next incident concerning Laguna de San Antonio is mentioned in Frontier Settlement in Mexican California - The Hajar-Padres Colony, and its Origins, 1769-1835, by C. Alan Hutchinson, 1969. p. 262. In 1834 two ships from Mexico brought colonists to California and they were to found a town where the Creek comes out of the hills north of Santa Rosa on the plain. M.G. Vallejo had the previous year tried to settle colonists here. So as not to disturb the Indians at Santa Rosa or Petaluma the settlers were to be temporarily sent to the Lagoon of San Antonio. This was Governor Figueroa in struction to M.G. Vallejo who was in charge of the northern frontier. The Laguna de San Antonio is a little west in Chileno Valley from the site of San Vicente already discussed. Whether they were actually sent there I do not know. The settlement at Mark West Creek where it comes out of the hills to the east was a failure and the colonists who were not really frontier types scattered to the coastal settlements. The town was to be called Santa Ana y Farias after the president and vice President of Mexico. Santa Ana was the same who conquered the Alamo in Texas. Two of the colonists at least did stay in the area, Leon Victor Prudon who married Teodocia Bojorques and Juan Padilla whose land grants Bolsa de Tomales and Roblar de la Miseria bordered Rancho Laguna de San Antonio on the west and north.

In 1837 Bartolome Francisco Bojorques got Vallejo's permission to settle at Laguna de San Antonio. I include what J.N. Bowman wrote of the rancho in The Spanish and Mexican Adobe and other Buildings in the Nine S.F. Bay Counties. MS. Calif. Room, State Library. Jack Mason in Early Marin, p. 160 think Bartolome Francisco Bojorques may have been with Arguello and Fr. Payeras in 1822 through the region.

V. LAGUNA DE SAN ANTONIO
1839 to early 1840's.

This rancho lies in the north central part of the county at the head of San Antonio Creek; almost half of the grant as patented is in Sonoma County and Chileno Valley with the bed of the lake lies in the easterly edge of the rancho. On May 6, 1839, Governor Alvarado, granted Bartolome Bojorques permission to occupy the six square leagues, or about 26,632 acres, petitioned; it was granted in fee by governor Pio Pico on November 25, 1845. It was patented to him on November 21, 1871 for 24,903.42 acres.

Bartolome Bojorques, born about 1777 in Santa Clara, had been in the military service since 1794; in 1815 he was mayordomo of Rancho Pulgas and in 1819 he was in the Presidio; in 1822 he was invalided, for the next three years he was in San Jose and also in San Francisco; in 1837 he petitioned for this rancho. He succeeded Nicolas Higuera as Mayordomo of Pulgas for Luis Arguello. In 1861 he testified in the Buriburi Land case that he was sixty-six years of age "More or less." (1)

His wife was Nicolasa Linares.

6. (1). The Bartolome Bojorques adobe Dwelling Site. Probably 1839.

It stood about 100 feet east of a lane and about 150 north of the Chileno Valley Highway, almost opposite the present barn of A. Ghislette. Probable error, 100 foot radius.

It is spotted and labeled "B. Bojorquez on the diseno of 1844. The site given above was pointed out by Antonio Talamantes of Chileno Valley, a descendant of Bartolome Bojorques; the house had disappeared before his birth but he recalls the site as pointed out by older members of the family. The date of construction is estimated from the petition to the Governor dated May 21, 1844, which stated the land was granted him, provisionally in 1837 and that since then he had built several houses. It is very probable that his first house was a palizada and that one of the small symbols on the diseno indicates the house, if so it stood north of the adobe and nearer the laguna.

No direct evidence has been found as to the date of construction. From the facts given it is inferred to have been erected probably about 1839.

In 1844 the Laguna de San Antonio is shown as a narrow lake about 1.3 miles long with its outlet into San Antonio Creek about due north of the Laguna School; the lake ran northwestward, north of the little hill and then turned westward to the head of the broad valley. From this western point of the lake the county line runs a straight course northwesterly toward Valley Ford. The lake has now wholly disappeared; westward beyond the pass there is at present a very small lake but it drains westward into the north of Walker Creek.

7. (2). The Juan Jose Bojorques adobe (?) Dwelling Site. Early '40's.

It stood in Sonoma County across the Laguna from the homestead between the hill and the site in the present fields. Probably error, 500 foot radius.

It is marked "Juan Bojorques" on the diseno of 1844. It was one of the several houses probably built before 1844 according to the petition to the Governor of that year. A house by a son would very probably be erected after the homestead; the early '40's appears as the probable date of construction. Nothing further had been learned of it. (3).

8. (3). The A. Bojorques adobe Dwelling Site. About 1840.

It stood about 60 feet below and west of the present residence of W. B. Fairbanks. The site is .25 of a mile by lane south of the highway at a point 1.5 miles east of the Chileno School.

It is marked "A. Bojorques" on the diseno of 1844. Fairbanks razed the house in 1938 and the foundation site is still visible in the garden below his house. Tal-

8
amantes also recalls the house. The adobe part of the house when razed formed a rear L to the frame building; the adobe was about 21 x 12 feet, one story, built of adobe brick. The bricks were about 22 x 12 x 4 inches thick.

The date of construction has not been found, from the facts already presented the probable date appears to be about 1840. (4)

(4). Other Bojorques Dwellings.)

The petition of 1844 stated that "several" houses had been built since the occupation in 1837; it is not known whether the houses listed above account for the several. After 1844 and into the American period other houses were erected but they are beyond the adobe building period. North and across the road from the A. Bojorques adobe was the house of a member of the family, and a frame of Pedro Bojorques stood on the north bank of the creek northeast of the Laguna School. These sites were pointed out by Talamantes.

NOTES

- (1). Land cases 62 ND; 101 ND; 5 ND. Bancroft Calif.
- (2). Land case. 62 ND. U.S. Circuit Court Cases 1953, U.S. v. Valentine.
- (3). Ibid. Juan Jose Bojorques married Loreto daughter of Jose Berreyesa who was wantonly killed by Fremont.
- (4). Ibid.

commentary by Roger Rehm. Age of Bartolome Francisco Bojorques, see p. 1.

J.N. Bowman writing in the 1930's did not have the geonology available that has been published in recent years by Mrs. Mutnick and Mrs. Marie Northrup and he often relied on H.H. Bancroft's Pioneer Register & Index. Bartolome Francisco Bojorques was mayordomo for Luis Arguello on Las Pulgas then a rancho nacional before it became a private land grant indicates the possibility that he could have been on the 1822 visit through Marin and Sonoma with Luis Arguello who on Nov. 22, 1822 was to become the first Governor of Mexican era Calif. It is possible he had been stationed at San Vicente on the northern Frontier when it was occupied as a military outpost. It is possible he did not see the area until he came to Sonoma in 1836. He may have been among the colonists of 1833 that M.G. Vallejo tried to settle at the Mark West site called by the Indians Potquiyomi, where the creek came out of the hills onto the plain of Santa Rosa. The Hajar-Padres colony of 1834 was to settle at the Potquiyomi site but did not stay not being frontier people and they scattered through the Calif-coastal settlements. Vallejo had also established a temporary presidio a little to the west where J.B.R. Cooper was to build his mill on a creek. In the 1830's William Mark West settle at the Potquiyomi site and was grantee of Rancho San Miguel. Vallejo had also been instructed to try and put the Hajar-Padres colony at the Laguna de San Antonio to be out of the way of Indians. This is unusual for H.H. Bancroft says that the Indians here were warlike when writing of Mission San Rafael to the south, in 1834. Vallejo had tried to put colonists at Petaluma at the site of the adobe he started to build in 1836 where an Indian village was on the other side of the creek from the adobe. I cannot recall where I got this last statement at present.

Sources: Hist. of Calif. H.H. Bancroft, Vol. III, p. 257. Frontier Settlement in Mexican Calif. 1967, by C. Alan Hutchinson. Out of The River Mist, 1973, by C. Raymond Clar. Vallejo-Defender of the Northern Frontier, Dissertation, U. of Cal. by L. Lathrop, 1976. The Sonoma Mission. by Robt. S. Smilie, 1975.

William Benitz diseno shows 4 structures in 1844. The palizada of c. 1837, the homestead adobe of c. 1839, the Angel Bojorques adobe of c. 1840 and the Juan Bojorques adobe of the early 1840's. How many members of the family occupied these is unknown. The size of Bartolome Bojorques's adobe and that of Juan Bojorques is unknown. The 1839 adobe burned after 1851, maybe the next year of 1852 and as part of a land sale to a new house was built for the grantee, Bartolome Francisco Bojorques. This is in Gates vs. Salmon where the testimony can be confusing. On Aug. 4, 1870, Joseph Wallace testified the grantee lived about $1\frac{1}{2}$ miles from the northern line of the grant and a few yards from the eas t line, on the east line. This seems too far south.

May 23, 1861, Angel Bojorques-a little less than a mile from the original site and Antonio Talamantes (a son in law)- L.W. Walker built a small house or shed on the adobe site. May 24, 1861, L.W. Walker-he bought the deed from P. B. Hewlett who had bought it from the grantee and his children and Harry Howe, another son in law like Talamantes,-a deed to Tustin who paid off the Shorb mortgage (in 1852) and a further consideration was building of a house for the old man (the grantee, Bartolome F. Bojorques) On May 25, 1861, Jas. Butler-a man named Burdick lived five yards or less from the small house on the adobe site. Aug. 2, 1870, James Singley-He (Bartolome Bojorques) resided a very little south-east of it; (original adobe site) 50 or 100 yards. L. W. Walker who built on the Bartolome Bojorques adobe site is on the 1873 Marin Co. map and the 1877 Sonoma Co. Atlas where Rancho Laguna de San Antonio is shown, but he is on the south side of the road whereas today the adobe site is on the north side as pointed out by Anastacio Talamantes (a son of Faustino Antonio Talamantes above) whom Bowman calls Antonio. Maybe there was a temporary place where the grantee lived between the time the adobe burned and the new house was built. May 23, 1861, Judge Al Barney-Bartolome Bojorques lived $\frac{1}{4}$ mile below the s.e. corner of the Laguna (de San Antonio); it was near the house built by Tustin. Bartolome Francisco Bojorques and his wife, Maria Nicolasa Linares, both died in this house that replaced the adobe. Perhaps L. W. Walker took it over and this could account for his house being on the south of Chileno Valley Road in 1873 and 1877.

The Juan Jose Bojorques adobe. Should be Juan Bojorques since Juan Jose Bojorques (II) was a first cousin, see Bojorques Part I. His adobe site maybe a rocky ledge on the Burns property overlooking the Laguna de San Antonio from Springhill Road on the north side of Chileno Valley. The late Al Burns mentioned a Bojorques who came there years ago before I started on this in 1967. In the late 1840's Juan Bojorques moved to Santa Clara but came to visit the rancho once renting his house in Santa Clara as he had cattle to take care of on the rancho.

Angel Bojorques was Angel Maria de la Luz Bojorques, another son of the grantee Don Bartolome Francisco Bojorques. If the adobe was only 12 x 12 feet not many could have lived in it. The late Ralph Sawin whose mother Ballbina Bojorques was a daughter of Jose Sebastian de Aparacio Bojorques who was a son of Angel Bojorques, said he had been told of a two story adobe and that members of the family roade on horseback around a lake shooting water fowl. This site is on a Dolcini ranch and across Chileno Valley Road is a building with a celler of stone with adobe mortor. Near the site of the Angel Bojorques adobe razed in 1938 is a small disused winery (early 1970's) with an tamped earth adobe celler, evidently in front of the adobe site. The former Shirley Joseph of Chileno Valley remembered this adobe. How many adobes might have been built between the time the diseno was drawn and the Americans came is unknown. There is a tradition of an adobe way station around Purvine and Springhill Roads. Land titles here go back to Jose Geraldo Bojorques. Maria Marcella Bojorques and 1st. husb. Jose de Jesus Lopez lived in Two Rock Valley. They had an old corral of brush with a stream on one side built in the fall of 1851 and they also had a new corral. Juana Maria Bojorques may have lived somewhere in the potrero, a flat area between San Antonio Mtn. and Chileno Valley Road. Maria Teodocia Bojorques lived in Sonoma and later in Santa Rosa when she re-married to Julio Maria Carrillo. All this is mentioned in Gates vs. Salmon or deduced from testimony.

In 1968 or so, Father Grassi of Our Lady of the Assumption said that an adobe church had been built in Spanish Town in 1847 and was deserted in the 1880's and souvineers were taken from it. The tongue inside the Russian bell at the Tomales church was taken from this adobe church bell. An old bell was taken from the belfry of the Laguna School for scrap during World War II. The Russian bell was from Bodega the site of Fort Kuskov. Mrs. Elizabeth Bihn who grew up in Chileno Valley said that plowing had uncovered human bones next to San Antonio Creek years before. This would be the Spanish Town site and they were probably victims of the smallpox epidemic of 1868 who were not allowed to be buried in Petaluma, though some were at first.

Indian artifacts have been found in the dry bed of Laguna de San Antonio, the Miwok Ocolom with Indian burials. Arrowheads and grinding mortors have also been found at other sites like the Light, Gale, Dasserotti house, the potrero at San Antonio Mtn. and after rainfall in the creeks.

There are two lake beds in Chileno Valley. The Laguna de San Antonio - Ocolom, 10 with La Lomita Alta (high little hill) at its southern edge. This partially wooded hill was identified by Henry Howe a descendant of the 1st. husband of the grantee's youngest daughter. The lake to the west, much closer to Chileno Valley Road and which I was told, it could overflow in rainy winters, is the Laguna Lake, but because it was less frequently drained, it is on the 1873 Map and the 1877 Sonoma Co. Atlas the Laguna de San Antonio but on the William Benitz design of 1844 it is definitely the more distant east lake that is the Laguna de San Antonio.

Chileno Valley. Adrian Godoy testified in Gates vs. Salmon on July 30, 1861, that he has settled there in 1852. He later returned to Chili. Evidently it was Godoy who organized Chilians who lived in the San Rafael area to camp out and pick hops at the flat area leading up to the Angel Bojorques adobe site. Land belonging to Adrian Godoy and others is shown on the 1873 Marin Co. map at the west boundary of the grant. The Chileans had probably come to Calif. in the Gold Rush. E. G. Gudde in Calif. Place Names lists Chileno Creek, Merced Co. Chileno Canyon, L.A. Co. and Chili Gulch, Calaveras co. as well as Chileno Valley.

Ocolome, Laguna de San Antonio. H.H. Bancroft, Hist. of Cal. Vol. II, p. 577, f.n. "Cattle graze in the Canadas of Las Gallinas, Arroyo de San Jose, Novato, Colomoche, Echata~~mal~~, (as in Tomales Bay and Mt. Tamalpais) and Olompali; the horses go farther to Olemochoe or San Antonio, the stream dry in summer, rising in the Laguna of Ocolom, or San Antonio, the lands of which seem to belong to the mission (San Rafael) but the Indians are warlike."

Numbered Sites on the 1948 Sonoma Co. map that I have added.

1. Amayelle or San Vicente. The site is shown as Amayelle in A. L. Kroeber's Handbook of Calif. Indians, as Amayelle. Despite the small scale of Kroeber's map it seems to fit the site in Rose Linebaugh's article as San Vicente an Indian Village. Also the site of San Vicente on the Northern Frontier. Also a Spanish outpost in 1811. See her article and my comments. The site is reached by Wetmore Lane from Chileno Valley Road. Mrs. Bihn mentioned Indian caves, a half cave and Indian Rocks.

Olemochoe

No number as it seems to be a general area perhaps including Amayelle and Olompali. It is not mentioned by Kroeber. In Calif. Place Names by E. G. Gudde, 1965, under "Olema... The Coast Miwok village of Olmaloke "Coyote Valley" mentioned by Barrett (Pomo, p. 307), was obviously not at the site of the present day Olema but was some ten miles north, in what is now called Chileno Valley. What seems to be a tribal name, "lemoloke", is mentioned on Oct. 14, 1805. (Arch., Ms., I 89), and the same root is found in "Olemochoe" in the territory of the Laguna de San Antonio grant at the Sonoma Co. line. The occurrence of the stem of the name in different regions confirms Kroeber's assumption that it had become a "tribal" name (Olametke) for the Indians in northern Marin County. According to Barrett, the word Ole is Coast Miwok for "coyote" (Pomo, p. 307)... East of Chileno Valley is San Antonio Valley, they are really part of the same valley caused by San Antonio Creek going east to Petaluma Creek from the Laguna de San Antonio and Chileno or North Fork Walker Creek going west from the Laguna Lake. There is a gap between Chileno Valley Road and San Antonio Roads of about 2 and 2/3 miles so that it is necessary to go up to Petaluma or down to Hick's Valley to get from one to the other on public roads. Private dirt roads do connect them. The San Antonio Valley has been the site of considerable archaeological excavation. See: The San Antonio Valley, Marin and Sonoma Counties by Tom King, Ward Upson & Ralph Miller. Dec. 1966, N. Calif. Archaeological Society and Report on the Excavation of Marin 374 by the Novato Senior High Arch. Club, June 1967. Olemochoe may have included Olompali between Petaluma and Novato by H. 101.

2. Melaya. On Kroeber's map listed above shows this Miwok site as being a little to the n.e. of Amayelle and San Antonio Creek. The Petaluma Argus-Courier Centennial edition of Aug. 18, 1955 in an article titled Indians Left Mark Until 1955 it is placed on the Sonoma side of Chileno Valley.
3. Ocolom-Laguna de San Antonio, already described.
4. Laguna Lake, "

5. Spanish Town. The site is shown on the 1873 Marin Co. Map and on a map of the State of Calif. c. 1870 in the State Archives, Sacramento. Faint lettering shows it on the west side of the Chileno Valley Crossroads and darker large lettering to the right. See Rose Linebaugh article and map section.
6. (San) Antonio Mtn. South side of Chileno Valley Road. Part of the Petaluma - Marshall Road skirts it on the south.
7. Santiago de las Dos Piedras. Two Rock Valley gets its name from the Two Rocks where Rancho Laguna de San Antonio, Bolsa de Tomales, Blucher and Roblar de la Miseria would come together here. Rose Linebaugh in Spanish Cavaliers Owned Two Rock, Long, Long Ago, for the Argus - Courier Centennial edition of Aug. 18, 1955, places a Spanish outpost here. Padre Amoros of Misn. San Rafael discovered Russians settling here in 1830 when a tour north of the Mission, they left. This incident is in Honoria Tuomey's Sonoma Co. History of 1926, Vol. I, p. 400 and also in Franciscan Missioaries in Calif. 1769-1848, p. 12, by Maynard Geiger, O.F.M. Both call the place Santiago. The diseno of 1844 by William Benitz, shows the trail from Misn. San Rafael to Bodega going between the Rocks. Maria Marcella Bojorques de Lopez lived in Two Rock Valley and in the fall of 1851 built a corral of brush with a stream on one side, called the old corral. There was also a new corral. Source: Gates vs. Salmon. The 1880 History of Marin Co. p. 197-9 tells that when California was to be divided into Counties, Apr. 25, 1851, the Marin-Sonoma line was to go between the Dos Piedras. This was also true when on May 15, 1854 and again on April 25, 1860 adjustments were made out in S.F. Bay. The Sonoma Co. Hist. of 1880 tells that in 1860 there was movement to move the line east so the Two Rock Valley and other place would be in Marin Co. with Petaluma as the County seat, but this failed. On the 1873 Marin Co. map the county line seems to be at its present location two miles west of the Dos Piedras.
8. Area associated with Joaquin Murrieta. I think the former Shirley Joseph of Chileno Valley told me of this. in the Article Chileno Valley Boasts an Exciting Background by Ed Mannion in the Centennial Edition mentioned above, quotes Pat Talamantes as saying his mother said Joaquin Murrieta was about age nineteen and quite a ladies man. The late Albert Forsell of S.F. whose wife was a daughter of Maria Juana Salazar, said her father Jose Salazar took food and supplies to Murrieta's men at the pinnacles in San Benito Co. The caves there were a hideout I have read. Pat Talamantes mother Maria Angelina de la Luz Bojorques de Talamantes also remembered the bandit Tiburcio Vasquez. Ed. Mannion showed me the following articles that he and his wife had copied in Petaluma from old newspaper files. July 5, 1866. BURGLARY -- The store of Sargent & Co. Under Ross' Photography Gallery, Main St. was entered last night by burglars and considerable clothing and valuable guns taken. The burglars affected an entrance by getting under the house and cutting through the floor. No clue has yet been got to the thieves. Dec. 20, 1866. CAUGHT AT LAST--On last Monday evening Marshall Knowles arrested Tiburcio (sic) Vasquez for burglary in breaking into the store of Messrs. Sargent and Barnes, on Main Street, last Fourth of July. It appears that Horace Dade, who was an accomplice of Vasquez, at the time, has since been convicted of highway robbery in Napa, and is now serving his time in the penitentiary. Marshall Knowles has been aware of all the particulars of this burglary for some time, but for prudent reasons withheld an arrest on account of the wholesale cattle stealing which is being carried on in this county, and made his party assist him in ferreting out their whole operations. When arrested Vasquez had a skeleton key for unlocking padlocks and gate fastenings. The strategy which our efficient Marshall has resorted to in order to discover these criminals, and obtain information of other robberies, is not proper to be made public at present. We will advise all persons who have been losing horses or cattle to communicate with him at once, as he has undoubtedly succeeded in exposing, if not effectually breaking up, the most persistent gang of robbers that ever infested this county. Marshall Knowles delivered Mr. Ward his cow which was stolen two weeks ago; also the rifle stolen the rifle stolen in the robbery of Sargent and Barnes Store. These mature and deliberate operations of the City Marshall will send these criminals to the State Prison, and cannot be too highly appreciated by our citizens as well as the residents of the county. Had he a proper support from the city, by an efficient police force, we would defy any burglar to attempt a robbery at this place.

Along with other material from Marin and Sonoma Counties is the Great Register (of voters) for Marin Co. in the State Archives, Sacramento. On July 19, 1866: 153 Peter Bojorques 45, Cal. Laborer, San Antonio 154 Rafael Bojorques, 29, "" (They had evidently gone in together.) 155 Tiburcio Basques 31, " farmer " 159 Sebastian Bojorques 38, " farmer. " 1336 Salazar, Joseph 48, " laborer " Charmaine Burdell has sent some data on two other incidents that show that all was not always peacefull in Chileno Valley.

In the burglary case-Sonoma Co. Court, Old Series #105, foldier 517 (in the State Archives, Sacramento) Jan. 14, 1867. Bail for Tiburcio Vasques was \$500. and the sentance was two years. It was a double barrell shotgun that was stolen. This was one of several times that Vasques was sent to San Quintin. He was a descendant of Jose Ramon Bojorques. See ancestry chart, next page.

Charmaine Burdell has sent other data that all was not always peacefull in Chileno Valley. Sonoma Co. Journal, Sep. 30, 1859. The son of the wife of Juan Pulga has lost thirty dollars gambling with a man named Biers. He could not pay the money lost at cards and left a horse. Juan Pulga came to get the horse and was told by Biers that he could not have the horse unless he paid the thirty dollars. Biers took hold of the lariat attached to the horse and Pulga shot Biers killing him. Pulga evidently turned himself in and was in jail at San Rafael.

Petaluma Journal & Argus. June 2, 1864. A difficulty between Juan Silvas, a spaniard and Juan Bejararo, an Italian (from Peru in the 1860 census) Silvas was shot and killed and the assailant fled.

9. Portezuela de San Antonio is mentioned in Land Case 61 ND, was part of the trail going over San Antonio Mtn. Part of the route from Mission San Rafael to Bodega. It does not follow the modern road to Marshall but went further east to the south.

10. Jose Williams, the site is enclosed by slopes of San Antonio Mtn. A trail goes east from the house built by Elisha Light c. 1868, also called the Casserotti house after later occupants. Light's bio. is in the 1880 Marin Co. History.

11. The flat area from the Chileno Valley Crossroads to the slopes of San Antonio Mtn. Springhill Road. Maybe named after springs, it is crossed by three creeks.

Pepper, Purvine and Seavy Roads are named after early American settlers.

Walker Creek, Road and a former school are named after Lewis Walker evidently, he had purchased land in Aug. 1857 at Chileno Valley from P. B. Hewlett who had bought it from the Bojorques.

Salmon Creek, Francis Salmon of Gates vs. Salmon. Early settler.

Guglielmetti Road, G. Guglielmetti has 387 acres on p. 63 of the 1898 Sonoma Co. Atlas Wiggins Hill, Not on the atlas's of 1878 and 1898.

Schools. Laguna School recently had a room addes to the west side. Built in 1906 Iowa Hill School, gone but it is on the 1948 Sonoma Co. Visitor's map. An old photo shows it to be identical to the Laguna School but clearly painted Iowa Hill School.

Chileno School, on the 1948 map. The site is on the north side of Chileno Valley Road near the Bolsa de Tomales grant line. The site is marked by trees and some rocks.

Walker School, just inside the north grant line off Walker Road, now a private home.

Two Rock School, The one room school has been restored and added to as a private home.

A small building near Chileno Valley Road, on the north side near a wooded hill was a former school and on the other side of the road in the potrero an outbuilding was rebuilt from a former school. Both evidently predate the Laguna School.

Stemple Creek, goes across Two Rock Valley and reaches the ocean as the Estero de San Antonio. It is probably the Tamalanika Creek. I do not know the origin of the name Stemple.

Ancestor Chart

Name of Compiler ROGER BEHM
Address 1149 FERNWOOD ST.
City, State W. SACRAMENTO
Date _____

Person No. 1 on this chart is the same person as No. _____ on chart No. _____

In an interview with George Beers, Tiburcio Vasques birthdate as Aug. 11, 1835 and his birthplace Monterey. none of the recorded baptisms fit this particular Tiburcio Vasques. I deduced who his pts. might be from the names of three of his brothers and a sister in The Life and Career of Tiburcio Vasquez The Calif. Stat Robber by Eugene T. Sawyer pub. in 1875. The three listed were: Francisco, Antonio Maria and Antonia Jose Heremegildo Vasques and his wife Maria Guadalupe Cantua had children named Francisco Miguel de la Soledad, all older than Tiburcio Vasquez. He was hung at San Jose on Mar. 19, 1875

b. Date of Birth
p.b. Place of Birth
m. Date of Marriage
d. Date of Death
p.d. Place of Death

4 José Tiburcio Vasques
(Father of No. 2)
b. 15 AUG. 1755
p.b. AHUALCO, JALISCO, MEX.
m. 26 OCT. 1775, SAN XAVIER del BAC, SONORA, MEXICO
d. 28 OCT. 1827
p.d. SAN JOSE, CALIF.

? 2 José Hermenegildo Vaquez
(Father of No. 1)
b. 1784
p.b. BAR MISSION SANTA CLARA, CALIF.
p.b. 26 FEB.
m. 1821 MISSION SAN CARLOS del BORROMEO
d. 1856
p.d. BUR. MISSION SANTA CLARA, CALIF.

5 Maria Ana Antonia Bojorquez
(Mother of No. 2)
b. 1761
p.b. LA VILLA de SINALOA, SIN. MEXICO
d. MAY 1827 SAN JOSE?
p.d. 7 MAY WITH SSA CLARA, CALIF.

1 Tiburcio Vasques
b. c. 1835 (11. AUG.) BAR NOT FOUND
p.b. MONTEREY, CALIF.
m. SINGLE
d. 19 MAR. 1875
p.d. SAN JOSE, CALIF.

6 Juan Bautista Cantua
(Father of No. 3)
b. 6 SEP. 1784 BAR. 7TH. W. SAN CARLOS
p.b. MONTEREY, CALIF.
m. 17 MAR. 1805, PRESIDIO CHABEL, MONT. CRY, CAL.
d. 14 OCT. 1822 WITH SAN CARLOS.
p.d.

? 3 Maria Guadalupe Cantua
(Mother of No. 1)
b. 1804
p.b. BAR. MISSION SANTA CLARA, CALIF.
d.
p.d.

7 Jacinta Hernandez
(Mother of No. 3)
b.
p.b. Puebla Mascota, Guadalupe, Mex.
d.
p.d.

(Spouse of No. 1)

8 Juan Antonio Vasquez
(Father of No. 4)
b. 1735
p.b. AHUALCO, SONORA, MEXICO
m.
d.
p.d.

9 Maria Gertrudis Castello
(Mother of No. 4)
b.
p.b.
d.
p.d.

10 José Ramon Bojorquez
(Father of No. 5)
b. 1737
p.b. LA VILLA de SINALOA, MEXICO.
m.
d. 1822. 8 MAY. ABOUT 4 A.M.
p.d. MISSION SAN JOSE, CALIF.

11 Maria Francisca Romero
(Mother of No. 5)
b. c. 1738
p.b. VILLA de SINALOA, SINALOA MEX.
d. 1818 12 NOV. BUR. 13TH. MISSION SANTA CLARA, CALIF.
p.d. SAN JOSE

12 Ygnacio Cantua
(Father of No. 6)
b. c. 1740 NAVAJOA, RIO YAVI, SONORA, MEX.
p.b.
m. 1773 IN MEXICO
d.
p.d. BUR. 22 DEC. 1822. WITH SAN CARLOS, CAL.

13 Maria Gertrudis Castillo
(Mother of No. 6)
b. c. 1760 REIL DE SANTA ANA, BIVA CAL MEX.
p.b.
d.
p.d.

14 Juan Maria Ruiz
(Father of No. 7)
b.
p.b. (NO DATA ON THIS FAMILY)
m.
d.
p.d.

15 Jacinta Davalos
(Mother of No. 7)
b.
p.b.
d.
p.d.

b. (Father of No. 11, Cont. on chart No. _____)

b. (Mother of No. 11, Cont. on chart No. _____)

b. (Father of No. 12, Cont. on chart No. _____)

b. (Mother of No. 12, Cont. on chart No. _____)

b. (Father of No. 13, Cont. on chart No. _____)

b. (Mother of No. 13, Cont. on chart No. _____)

b. (Father of No. 14, Cont. on chart No. _____)

b. (Mother of No. 14, Cont. on chart No. _____)

b. (Father of No. 15, Cont. on chart No. _____)

b. (Mother of No. 15, Cont. on chart No. _____)

of which H.H. Bancroft, Vol. II. p. 637 fn. "A piece of ground had been cultiv- 14
ated on Tamalanika Creek, 3 leagues from Bodega, and 5 leagues from Ross: but had
been abandoned on the remonstrance of the comandante at San Francisco!" This is prob-
ably the same time and place as the discovery of Russians at Santiago-Two Rock by
Fr. Amoros in 1830. I do not know Stemple was. To the west the creek widens out and
was called Burbank Lake. George Wilton Burbank, evidently an older brother of the
famous Luther Burbank of Santa Rosa, built a large house above the creek. This wid-
ening of the creek is evidently where Tamil Indians lived and which gave the name Bo-
lsa de Tomales to the rancho of Juan Padilla. G. W. Burbank's portrait and bio. are
in the 1880 Marin Co. History.

In Jan. 1846 Fremont led explorers into California and the Bear Flag rebellion
at Sonoma occurred. What led a part of the Bear Flaggers to the Laguna de San Anton-
io was the killing of Cowie and Fowler. They had been sent by Wm. B. Ide to get a keg
of gunpowder at the rancho of Henry Delano Fitch. Cyrus Alexander was the mayordomo
there and Moses Carson a brother of Kit Carson had the powder. They ignored the ad-
vice of Ide and Henry D. Ford and getting on the main road or trail, were captured
by Juan Padilla and Ramon Carrillo's band of defensores. Carrillo was later shot in
the back in Southern Calif. it is thought by vigilantes and his sister was the wife
of Fitch. The defensores were to protect local women from the Bear Flaggers. I was
told by the late Mrs. L.W. Carrillo that Cowie and Fowler had raped Ramon Carrillo's
mother, the grantee of Rancho Cabeza de Santa Rosa. She had fled into the wilds and
caught cold which eventually led to her death. Twenty to thirty men may have been
with Carrillo and Padilla. Ramon Carrillo's brother, Julio Maria was to become the
second husband of Maria Teodocia Bojorques.. Juan Padilla had come to California
with her first husband, Victor Prudon in 1834 with the Hajar-Pares colony. Padilla
was grantee of Rancho Bolsa de Tomales on the west side of Laguna de San Antonio and
Roblar de la Miseria on its north side. Bancroft says the group was wild and irres-
ponsible and included desperate characters. However they had not started any hostil-
ities against the non-Californio grantees of ranchos in the Marin-Sonoma region many
of whom were foreigners like Fitch. After their capture Fowler and Cowie were tied
to trees and while their captors were discussing what to do with them Bernadino (thr-
ee finger) Jack Garcia is supposed to have killed and mutilated them. The facts are
obscure as to whether or not he acted alone. Garcia may be the same who was to marry
Hilaria Sanchez, the widow of Juan Reed. The main timbers of his mill stand with a
newer roof in Mill Valley, Marin Co. Two others American prisoners had been taken
and the Bear Flaggers had taken horses from one of Padilla's ranchos. Franklyn F.
Grigsby found the bodies of Cowie and Fowler at Chanate where a hospital now stands
in Santa Rosa. The names of the defensores given are often garbled, Ignacio Stiggere
may have been Ignacio Higuera, the 2nd husband of Juana Maria Bojorques. An Inaguen
Carrillo I do not attempt to identify. Wm. L. Todd was one of the Americans captur-
ed by the defensores, he was a nephew of Abraham Lincoln's wife. A Sgt. Gibson
with four men went from Sonoma to Sotoyome to get the gun powder.

Lt. Ford left Sonoma June 23d. to rescue American prisoners. Evidently they
first went to Padilla's Roblar rancho and then to the Bolsa de Tomales where they
wrecked his small hut used by his employees. H.L. Fords letter to Sam Brannan says
they found two boys and two or three Indians. Threats brought the information that
Padilla and his men were at the Laguna de San Antonio. Fords men roasted some beef and
took a boy as guide. At about 2 a.m. they laid down under trees about a mile from
the Laguna de San Antonio. After a short nap at daylight they came to within a half
mile of the adobes. He took seven men and went to the south side of the village and
a Sgt. Swift went to the north side. Padilla and the defensores had gone. Ford and
his men took four prisoners and two others escaped. After breakfast Ford and his men
went on to Olompali to find that Padilla and his defensores had been re-inforced by
others led by Joaquin de la Torre. They were surprised at breakfast and attempted
to charge the Americans on horseback. Manuel Cantua was killed at later buried at
Olompali and Agaton Ruiz wounded. Whether others were wounded is uncertain. The Am-
ericans hid and fired from in back of trees. The Californians retreated to San Ra-
fael where Wm. Anthony Richardson, the grantee of Sausalito let them use his boat
to get away to S.F. Wm. Todd and an Englishman had escaped from Padilla and de la
Torres men. This occurred June 21, 1846 according to Ford.

Note: Inaguen Carrillo sounds a little like Joaquin Carrillo, a brother of Ramon and
Julio Carrillo. Joaquin Carrillo was grantee of Rancho Cabeza de Santa Rosa.

from a copy sent by the former Shirley Joseph

Bulletin No. 11, Jan. 1946 The Pastimer., Marin Co. Hist. Society, San Rafael, Cal.

SPANISH TOWN

Rose Linebaugh of Two Rock sent us a letter of interesting letters on early history of northern Marin. In a letter she sent us some time ago, she said: "A few weeks ago I met Tacho Talamantes. A tall and handsome old gentleman with all the charm and dignity of the early Spanish Dons. With a fine disregard of modern activities and turmoil, he devoted his time to hunting and fishing on the beautiful hills where generations of his ancestors had roamed.

"He told me about old Spanish Town. He says it never was a town. It was just the scattered dwellings of Spaniards and Chileans around the "Indian Water Hole" Mr. J. A. Walker, who bought the Walker Mountain Ranch, laid out a town with streets along Pua Creek but it was never settled.

"Mr. Talamantes" mother lived in the last house of Spanish Town which stood until three or four years ago in a field in front of Hans Juhl's road-house. She carried her water from the old Indian Water Hole.

"Mr. Talamantes told me an interesting story about two now unknown and unsung Spanish priests who walked about Chileno Valley in very early times visiting and teaching the people. How wonderful it would be if we could find a record of the work of these Holy men"

On page 56 is a map of Chileno Valley drawn for Mrs. Linebaugh by Enos Valencia who was born in Spanish Town nearly 100 years ago.

Dear Mrs. Donnelly

Two Rock, Dec

I'm very sorry to have delayed so much my reply to your letter. I had hoped to go back and visit the "Indian water hole" and Kitchen, but it is hard to do the thing one wishes to do these times.

Chileno Valley is one of the most interesting places in the world. I met an old Spaniard, Enos Valencia, who was born in "Old Spanish Town" 92 years ago. He made me a delightfully quaint map of Chileno Valley and the old Indian trail which ran around the western hills of the valley and came to Tomales which he calls "Michel" on his map - a name I had not heard before. (She mentions Tacho Talamantes living in a lonely glen and the last house of Spanish Town stood in a field across from the Hans Juhl place till 25 or 30 years ago and that she thought Enos Valencia had passed away

The Marin Co. History of 1880, p. 313

The rancho Laguna de San Antonio was granted to Bartolome Bojorques, Nov. 25, 1845, by Pio Pico. It was a six-league grant and contained twenty-four thousand nine hundred and three and forty-two one-hundredths acres. It was confirmed to the grantor. The area of this once princely landed estate has dwindled down to only thirty acres. There are quite a number of the descendants of this family living on this tract, which is known locally as Spanish Town"

Comments: Tacho Talamantes was Anastachio Talamantes whom J. N. Bowman called Antonio in his adobe ms. His mother was Maria Angelina de la Luz Bojorques, the youngest daughter of the grantee of the rancho and his wife. I cannot identify Enos Valencia but he may have come from the family of Candelario Valencia who was the grantee of rancho Acalanes in Contra Costa Co. and who later came to Marin Co. and his family lived in the San Rafael and Hamilton Field areas. A noted artist, Manuel Valencia, also came from this family that like the Bojorques came to found the Mission and Presidio with Moraga 2nd. in command of the de Anza expedition of 1776. Manuel Valencia had a son who ran a musical store in Petaluma. His bio is in the History of Sonoma Co. Vol. II. p. 233, 1926, by Honoria Tuomey. Jose Geraldo Bojorques wife was a Valencia. I cannot add to the story of the priests. The Hans Juhl tavern has been removed and moved back from the Chileno Valley Crossroads.

On this day before Con (?) H.T. Thornston came Bartolo Bojorques a witness on behalf of the Claimant Juan Martin, petitioner No 223 & Was duly sworn his witness being interpreted by the secretary.

Question by Claimant

Quest: 1st What is your name and residence?

Ans: My name is Bartolo Bojorques my age is seventy six and my residence is California

Quest: Are you acquainted with the Rancho of Novatos claimed by the Juan Martin if you state what you know about the occupation of said place.

Ans: I know the said Rancho and have known it upwards of twenty years. It has all the time been occupied by Juan Martin who had a house upon it and lived on it with his family from the time it was granted to him until now being cultivated by him and stocked with cattle.

(Note: a diseno shows the Hick's Valley
area as Canada de Colenqueche.)

Bartolo Bojorques
Mark

U.S. Agent present

Sworn to and Subscribed to before me this 5th day of March 1853

Harry I Thornston Commissioner

Filed in Office March 5, 1853 Geo Fisher Sec'y (typed from a photocopy loaned by
Bro. Veronius Henry)

Note: The late John Vincent Gallagher thought that the John Martin of Marin Co. was the same person as John Martin whose wife Barcellia Bernal was grantee of Rancho Embarcadero de Santa Clara in northern Santa Clara Co. J.V. Gallagher thought Martin was living a double life with two wives and families but Charmaine Burdell finds different parents and death dates for the two Martins so evidently it is another co-incidence of two contemporaries with the same name. J.V. Gallagher was descended from the John Martin of Santa Clara Co. The Marin Co. John Martin had a son Alexander Martin who m. Maria Antonia de Jesus Salazar, a sister of my gt. grandmother, Maria Juana Salazar de Murzi. Rancho Corte de Madera de Novato (where wood is cut at Novato) was to the south of Rancho Laguna de San Antonio. The two ranchos were separated by Rancho Buacocha (Indian name, meaning unknown) granted to Maria Teodora Peralta in 1846, about 2,600 acres. She was the daughter of Don Luis Peralta (who had wanted to m. Maria Agustina Bojorques) and his wife, Maria Loreto Alviso the older half sister of Don Bartolome Francisco Bojorques. The Marin Co. History pub. in 1880 and repub. in 1972 by Charmaine Burdell, p. 96-97 tells of the Nicasio Indian legend of deserters from Sir Francis Drake's Golden Hind who settled in Marin Co. and gave Novato and Nicasio their names after places on the island of Cyprus in the Mediterranean.

In 1595 one of the annual Manila galleons sailing from the Phillipines and down the California coast wrecked while anchored at Drake's Bay. The captain, Sebastian Cermeno tried to survey the coast as ordered and while most of the crew of 70 were ashore assembling a launch with a hollowed out hull and plank sides a storm came up wrecking the San Agustin. The nearly 70 survivors managed to reach Acapulco, Mexico in the launch. Fragments of porcelain have been found at the site but whether from the San Agustin or booty left by Drake's Golden Hind to lighten that ship is not always certain. The incident is well known and there are several articles about it. Calif. Hist. Society, 1924, 1941. Robert Marx planned to try and get to the wreck. S.F. Chronicle, Feb. 11, 1986, Oct. 28, Sacramento Bee, Feb. 9, 1987, Aug. 11, 1988. S.F. Ch. July 17, 1987, Jan. 13, 1988. I do not know the outcome. Ch. June 14, 1989 had another article. The galleons crossed the Pacific from the Phillipines to Mexico from 1565 to 1815.

* The Federal Land Cases are at the
Bancroft Library, U. of Calif. Berkeley

The grantees of land grants after the United States Government took over, had to prove their title before the U.S. Lands Commission and if they did the U.S. Gov't. would usually appeal and a trial would be held before the Northern or Southern District Court.

Bartolome Bojorques sworn on same point.

"Do not know Daniel Kelly; I do remember of ever signing a deed to him. Upon reflection the witness said he did know Daniel -they always called him by that name. We signed a deed to him for one hundred and sixty acres of land; have no idea how long ago, nor how many signed it. Several of his children were present, and he recollected that Juan and Jeraldo signed it, but don't recollect who else; Theodocia, I think, was not there; Lopez and his wife signed it; don't remember about Francisca; never signed but the one deed to Kelly. There was some money paid to Jeraldo at the time the deed was signed, but do not recollect the amount. Know James Singley; recollect about his surveying some land; think it was Daniel Kelly that paid the money, and he occupied the land afterwards, and built a house on it."

Cross-examination:

"I saw Marcella Lopez sign it, and did not see Mrs. Howe sign it."

Question. "Out of whose share in this rancho was the land in the Exhibit 45 to be taken?"

Objected to on the ground-

1st. That it is not cross-examination.

2d. Parol testimony is inadmissible to alter or change the terms of the deed.

3d. That the answers of Williams and Hopkins/ do not charge that this deed was limited to any one's share.

(Testimony admitted, subject to the objection.)

Answer. "The one hundred and sixty acres were to be taken out of the lands of Juan Bojorques, who had made the sale. It was fully understood as coming out of his, Juan's share, but not in writing."

April 25, 1861, p. 47

Bartolome Bojorques recalled by Colton:

Question. "Are you acquainted with Messres. Jewell, and if so, where do they live?"

Answer. "I know them, and where they live."

Question. "Do you know of Juan Bojorques selling a piece of land to John Tustin, where the Jewells now live?"

Answer. "I do."

Question. "Did you sign the deed?"

Objected to, on the ground that you cannot prove an instrument except as provided by statute. Allowed; and Mr. Thompson excepts.

Answer. "I did."

Question. "State whether you know of Juan selling a piece of land where the Jewells now live, to Hewlett."

Objected to on the ground that the deed is the best evidence; and the proof is taken subject to the objection.

Answer. "I do; I signed that deed also."

Cross-examination:

"I do not know how much land either deed contained; did not hear how much there was. (Deed presented.) Do not know whether this is the paper I signed; it was not explained to me; I do not understand English, or read it, and the deed was not interpreted."

Re-examined:

"I did not know the land they were selling."

Question.-"Did any one tell you at the time you signed the deed to Hewlett, what land Juan was selling."

Objected to as incompetent. Taken, subject to objection.

Answer.-"No one told me, but I knew where the land lay which was sold; I assisted in marking out the land sold."

18

Petaluma, August 14th, 1861, p. 126 - Gates vs. Salmon

Bartolome Bojorques recalled by Mr. Stebbins and examined through an interpreter.

Question. "State what you know, if anything, in relation to the negotiation for the tract of land to Barbara Ann Lewis by Lopez."

Answer. "No, I don't know what the bargain was."

Question. "Were you there on the ground when the Lewis tract was staked off?"

Answer. "I was."

Question. "Who was present."

Answer. "His companion, Harry Howe, Lopez, Mr. Lewis. I don't recollect any other."

Question. "Were you ever there on more than one occasion when Lewis, Howe and Lopez were there?"

Answer. "Only once."

Question. "Did they mark out the boundaries of the Lewis tract?" If so, where did they start from?"

Answer. "They did. They commenced up this way-towards the corral."

Question. "Towards whose corral?"

Answer. "The corral of Lopez."

Question. "Had Lopez more than this one corral?"

Answer. "No more."

Question. "Which way did they run from this corral?"

Answer. "Where there is some stones."

Question. "Where did they run from there?"

Answer. "Down below, to the corner that we sold to Lewis; not so far down as the forks of the creek; to small ravines. They run from there up to the old corral which was occupied by some persons to corral cattle there. This was not Lopez's corral."

Question. "Do you know where there is a rock with a tree on it, in that vicinity?"

Answer. "I do."

Question. "Was that one of the corners of the Lewis tract?"

Answer. "It was."

Question. "Were you present when a stake was driven, ever?"

10a

Question. "Was there a stake driven near the corral of Lopez, with some earth thrown around it, while you were there with Lopez?"

Answer. "There was."

"As I recollect well about the stakes, from the stone with a tree on, to the stake up near the corral; but I do not recollect the line from the corral towards the two rocks."

"I recollect the old corral built by some persons when they run off the land for Lewis, they did not pass that way towards the old corral."

Mr. Colton moves to strike out the evidence of this witness as incompetent and irrelevant.

Note: The two rocks which gave that community its name can be still seen rising on the slope about 9 miles west of Petaluma on the road to Bodega

Bartolome Bojorques recalled. p. 128

"There was no timber on the tract of land sold by Lopez to Barbara Ann Lewis."

Questions in behalf of the Intervenor D.O. Mills

Question 1st. What is your name, age, and place of residence?

Ans. My name is Bartolome Francisco Bojorques, I don't know my age, I am something like sixty six more or less, I am old and have no teeth, my residence is Marin County.

2 Do you know any thing in relation to Jose Sanchez being put in possession of the Buri Buri rancho?

Objected to, because if this question refers to juridical possession given to Sanchez by the Mexican authorities, it is incompetant to prove the same except by the best evidence. To wit: the documentary evidence contained in the expediente as record of juridical possession unless the loss or absence of such documentary evidence is first accounted for, and also that the question is a leading one.

Ans. I do know about it, I was present when the Alcalde (mayor or administrator) de Haro gave him possession.

3 In what year was this?

Same objection as to question.

Ans. I do not remember, for my memory does not serve me, but I do know that he did for I was present.

4 Was it in the year 1835, before that time, or since?

Same objection as to quest: 2

Ans. I cannot remember the year in which it was.

5 Do you recollect who were present, if so state

Same objection as to quest: 2

Ans. One was Jose Antonio Alviso, Eusebio Galindo, Geipe Sabo who id deas, (?) and

6 Who else were present?

Same objection as to quest? 2

Ans. Francisco de Haro, the measurer, the one who gave possession. I don't recollect anybody else. Those I have named were those with us and walked with us.

7 Were Jose Sanchez and his children present?

Same objection as to quest: 2

Ans. Jose Sanchez was present, but I can't recollect whether his children were or not.

8 Where on the bay, did the Alcalde designate the commencement of the north boundary at what natural object?

Same objection as to quest? 2

We were all on horseback and the Alcalde commenjed the measurement near the rancheria, a little below it, there are two springs, and we commence the measurement at the point of the mountain, we followed the mountain as the Laguna de San Bruno.

9 In what direction from the rancheria, did the Alcalde run the line?

Same objection as to quest: 2

Ans. Towards the Laguna Alta which is towards the Lomas of San Bruno

10 Immediately after the line left the rancheria, where did the line go, as run by the Alcalde?

Same objection as to Quest? 2

Ans. It went to the Laguna de San Bruno.

11 Did the line as pointed out by De Haro run over the mountain near the rancheria, or around it?

Same objection as to quest: 2

20

Ans. They did not run it over the mountain because we could not get there, but they run it around the side of the mountain.

12 Did the rancheria and the springs that you have spoken of all (go) inside of the line as run by us and walked by us. by de Haro and the rancho, as on the outside?

Same objection as to quest: 2

Ans. They remained within the rancho.

13 Look at the traced copy of a map annexed to the deposition of Francisco Sanchez, filed in this case, and marked Exhibit ~~No. I~~ Sanchez No. I." And state whether the lead pencil mark near ~~the~~ the north line at the bay, indicates correctly the position of the rancheria, you have spoken of?

Same objection as to questt and in addition, that the exhibit which purports to be a traced copy of the map of the rancho of Buri Buri, is not proved to be a correct copy of the map of any original or official or correct map or survey of said ranch, nor is the witness shown to be an expert, nor a surveyor, nor familier with the topography of the ground and that the evidence offered is incompetant, immaterial and irrelevant

Ans. Yes, it does.

14. How far is that Rancheria from where the principal cerro (hill) terminates at the bay?

Same objection as to quest 13

Ans. I cannot tell, it is close by, how close I cannot tell.

15. At what point did the North line leave the Cerro, for the Laguna San Bruno, and the Laguna Alta? (high lake)

Same objection as to quest: 2

Ans. The first line commenced at the rancheria. It left the mountain at a point where there were some white rocks and a gully.

16. What is the position of those rocks and that gully, with respect to the Laguna San Bruno and Laguna Alta?

Same objection as to quest: 2

Ans. The Laguna Alta is below and the Laguna San Bruno is above.

17 Where would a straight line drawn from the Laguna Alta through ~~the~~ as by the Laguna San Bruno, strike the mountain?

Same objection as the question 2 and 13.

Ans. It would strike it above where the white rocks are, over the rocks.

Cross examination.

Questions by Mr. Wheeler.

18 In what year were you born?

Ans. I don't know, Ferdinand VII was King of Spain then. (Carlos III ruled from 1759 to 1788, ordered the exploration of Calif. Don Bojorques was born in 1780.)

19. Where were you born?

Ans. In Santa Clara.

20 Who was the Padre at that time?

Ans. I don't know, there have been so many Padres.

21. Were you ever married, if so when?

Ans. I am married now, I don't recollect the year but I was about 19 years of age when I was married. The first child was a girl she is about 30 years old now, she was born about one year after the marriage. She is now ~~gray~~ now old, and already grey. She has grown children, ~~one of them is married is an English~~. Two of her daughters are married. They are my grandchildren, and those grandchildren have each one child, one of these great grand-children is about four

feet high and the other about three feet high.

21

22 In what capacity and for what purpose or object, were you present at the Juricica measurement of the Burri Burri rancho?

Ans. Because my compadre Jose Sanchez requested me to be there.

23 Did you in 1835, in the month of November testify under oath, before Francisco de Haro Alcalde, as to your knowledge concerning the lands, the location, limit, and boundaries of the Buri Burri rancho, and did you at that time and on that occasion describe to the said de Haro the limits and boundaries of said rancho?

Ans. I did not. I have made no declaration under oath, till now.

24 Did the Burri Burri rancho have, long prior, to this act of juridical measurement well known and distinct boundaries, on the north?

25 Have you heard and understood all the questions thus far put to you, including the last?

Ans. I have, all that have been asked me.

26 Who were the measurers at the act of juridical possession of the Burri Burri ranch?

Ans. We were ourselves.

27 Was the measurement with a cord, if so who used, and measured with the cord?

Ans. It was, and I, Galindo and Jose Antonio Alviso, and Felipe Lobo measured with the cord.

28 Where did you first commence to measure with the cord?

Ans. At the rancheria. Where there had formerly been some houses of Indians, and we commenced to measure on top of the hill where that rancheria had stood.

29 Who had hold of the cord?

Ans. It was the measurers, but I don't recollect which. There was four of us, and it is long since that I don't remember.

30 Did they not commence to measure at an Estero?

Ans. No sir.

31. Was not a stake driven in the ground at the place of commencing the measuring?

Ans. No, there was not.

32 Did the measurement from the point of beginning follow northwesterly along the face ? of the San Bruno mountains?

Ans. No sir.

33 Can you swear that the said Exhibit Sanchez No. 1 (being the traced copy now before you is a correct representation of the Burri Burri ranch, or of any part of it as represents correctly any objects natural or artificial upon said ranch, or its vicinity.

Ans. Yes I can.

34 What is the length of the northern line of the Burri Burri Rancho, and its direction by compass?

Ans. I don't know, I don't know the point of the compass.

35 Do you understand anything about surveying?

Ans. I do not.

36. Do you understand anything about drawing or map making?

Ans. I do not.

37 Are you an expert, capable of judging of the correctness of maps of land?

Ans. No sir, I am not.

38 How then can you swear that this map shown before you. is correct?

Ans. I can't swear that neither.

22

39 Neither can you swear then that the lead pencil mark near the North line at the bay, as shown on that map, indicates correctly the position of the rancheria referred to, can you?

Ans. That is the rancheria. If this is the diseno of the Rancho of Burri Burri then I can swear than pencil mark is the rancheria and if this is not the diseno of ~~the~~ my compadre Jos e Sanchez that is not the rancheria.

The rancheria is more than one hundred paces from the shore of the bay.

40 How far ~~is the~~ from the shore of the bay is the pencil mark, where you say the rancheria is according to the scale of this map?

Ans. It is near more than 100 varas.

41 Is not the rancheria more than a thousand varas from the waves?

Ans. It might be, the Estero is near by, the sea is further off.

42 Point out on this map, with a pencil, where a thousand varas could be from the sea?

Ans. I cannot.

43 How than do you know that the said pencil mark is correctly located?

Ans. Because they placed it there. I somebody, I don't know who.

44 If than pencil mark had been placed elsewhere on the map would you have testified that it was correctly located, as the place? on the rancheria?

Ans. I couldn't have told.

45 Is your memory good concerning facts and localities?

Ans. It is.

46. Is your knowledge concerning the correctness of that pencil mark, as indicating the location of the rancheria, based upon the fact that you see such a mark upon the map; and if such mark were not there, would you have pointed out that exact spot, as the location of the rancheria?

Ans..It is, and I could not have pointed out that exact spot if it were not marked on the map.

~~Direct/Resumed.~~
~~Questions by Mr. Plaintiff~~
A7

his x
Bartolome Francisco Bojorques
mark

Note: It has been commented on ~~the~~ the sense of time of the Californios was different than ours but it must be remembered that they were mostly illiterate and did not have calenders nor watchs or any way of keeping track of their age like the documents that people have today.

Last Will of Bartolome Bojorques No 68 Filed March 5, 1867 D.L. Taylor Clerk
State of California

County of Marin I Joseph Almy Probate Judge of Said County do hereby certify that on the 24th day of July 1867 the annexed instrument was admitted to Probate as the last will and testament of Bartolome Bojorques deceased and from the proofs taken and the examination had therein the said Court finds as ?

That Bartolome Bojorques died on the 4th day of September 1863 in said County of Marin-that at the time of his death he was a resident of said County of Marin-that the said annexed will was duly executed by the said decedent in his life time in the said County of Marin-in the presence of A. W. Thompson and John Dohnelly the subscribing witnesses thereto also that he acknowledged the execution of the same in their presence and deceased the same to be his last will and testament and the said witnesses attested the same at his request in his presence and in the presence of each other-that the said Decedent at the time of executing said will as aforesaid was of the age 18 years and upwards - was of sound and disposing mind & not under restraint undue influence or fraudulent misrepresentation nor in any respect incompetent to devise & bequeath all his Estate

(Int. Revenue
Express Stamp
5)

(red seal)

In witness where as ? I have ? this certificate and caused the same to be attested ? by the clerk of this court under the seal thereof this 24th day of July 1867 in open court Joseph Almy County Judge Ec of Probate Judge of Marin County

In the name of God Amen

I Bartolome Bojorques of the Petaluma ~~Township~~ of the County of ~~Sonoma~~ Marin, in the State of California being of infirm health, but of sound mind, do make, constitute and declare this to be my last will, and testament that is to say.
First, All of the estate, real and personal of which I may die seized or possessed, I give and bequeath to my beloved daughter Angela wife of Henry Howe and Biter Berreyessa, share, and share alike, to be in them vested, at once upon my death absolutely to each one half.

2nd I do request of my said daughter and of Biter Berreyessa that if my beloved wife Nicolasa Linares Bojorques should survive me; that they should devote so much of my estate of which I may die seized, as may be necessary for that purpose to the proper support of my said wife during her natural life.

3rd Of my son Pedro Bojorques; I request that he will pursue to its proper completion the law proceedings for the recovery of the property formerly belonging to my father in accordance with the power of Attorney by me heretofore made to my said son Pedro Bojorques; and in case of the recovery by him of any, or all of said property formerly belonging to my said father; then it is my desire that the same may be devoted to the support and maintenance of my said wife Nicolasa Bojorques, during her natural life; and I further desire of my legatees aforesaid that in case it should become necessary, for her proper support and maintenance during the further continuance of her life, that such portions of the property aforesaid, formerly belonging to my father, as may be expedient, shall be sold, and the proceeds of said sale, or sales to be devoted to her said support and maintenance.

The erasures in the 2nd and 3rd lines of the first page of this will were made before the execution thereof, that is to say "of the Petaluma Township of the" having been erased, and the words "of the" having been interlined together with "Marin". In witness whereof I have hereunto set my seal, and subscribed my name the Twenty third day of June A.D. 1863

his

Bartolome x Bojorques (LS)

mark

The above written instrument was subscribed by the said Bartolome Bojorques in our presence, and acknowledged by him to each of us: and he at the same time published and declared the above instrument so subscribed to be his last will and testament; and we at the testator's request, and in his presence, have signed our names as witnesses hereto.

And we and each of us do certify and declare that the following interlineations

in the 2nd and 3rd line of this instrument; that is to say "of the" and "Marin", 24 and also the following erasures, that is to say "of the Petaluma Township of the" were made prior to the executive hereof by said

A.W. Thompson a resident of Petaluma in the
County of Sonoma.

John Dohnelly, a resident of the County of Marin

Filed March 5, 1867 D.T. Taylor Clk

To the Honl. the Probate Court of the County of Marin in the State of California

Your Petitioner Pedro Bojorques of Marin County herewith presents to this Court the last will and testament of Bartolome Bajorques, deceased and showeth to the court

That said Bartolome Bojorques died in the said County of Marin in said State on the 4th day of September 1863 being at that time a resident in the said County of Marin and leaving estate therein of the value of about ~~one-thousand~~ eight hundred dollars,-

That said Estate consists mostly that real estate, to the value of about eight hundred and the same is all the separte property of said deceased-

That said deceased had no personal estate at the time of his death:

That at the time said will was executed, the said Bartolome Bojorques of the age of Eighty three years was of sound mind, and in every respect competant to make and publish a will and testament:

That Nicolasa the wife, aged about eighty four years-your petitioner aged forty seven years, Josa Gerald Bojorques aged about ~~forty nine~~ years, Juan Bojorques aged about sixty years, Angel Bojorques aged about fifty five years, sons-and Angela Howe, aged about thirty five years, Marcella Lopez, aged about forty two years, Ignacio Igara, aged about years, Theodocio Carrillo aged about forty five years, Juana Johnson aged about sixty four years daughter all resident in Said State are the only heirs at Law of Said deceased:

That Angela Howe residing/in said County, and Biter Berryessa now deceased were and are the only devisees under said will except as evidenced by a Power of Attorney referred to in said reference-That your Petitioner is named therein as executor:

Wherefore your Petitioner prays that will may be admitted to Probate and letters testamentary issued to him, and that this Honl Court would for that Purpose appoint a day and order notice of the same to be given by publication and that citations may be issued to the heirs residing in this County, and that all other necessary and proper or ers may be made in the premises and your petitioner will ever pray ? ?

1867 Pedro Bojojre (Bojorques)

Probate Court Marin County In the Matter of the Estate of Bartolome Bojorques
Deceased

Order appointing time for Probate of will & directing Publication of notice of the same. Filed March 18 1867

Daniel T. Taylor Clerk

In the probate Court of the Cunty of Marin State of California

In the Matter of the Estate of Bartolome Bajorques Deceased

A document purporting to be the last will and testament of Bartolome Bojorques, deceased, having on the 5 day of March AD 1867 came into the possession of said Probate Court, and a petition for the probate thereof, and for the issuance of letters testamentary to Pedro Bojorques having been filed

It is hereby ordered; that Friday the 19 day of April AD 1867 at 10 o'clock am of said day at the courtroom of said court at the Court House in the County of Marin be, and the same is hereby appointed the time for proving said will, and hearing said application when and where any person interested may appear and contest the said will and may file objections in writing to the granting of letters testamentary to said peitioners.

It is further ordered, that notice be given thereof by the clerk of said Court by publication once a week for three successive weeks before said 19" day of April 1867 in the Marin County Journal a newspaper printed and published in said County of Marin

And it is further ordered, that subpoenas be issued to the subscribing witnesses to said will, and that citation be issued and served upon the heirs of the said testator

residing in said County, to appear and contest the probate of said will, at the said time appointed Dated in open Court March 18" 1867 Joseph Almy Probate Judge

Probate Court, Count of Marin In The Matter of the Estate of Bartolome Bojorques deceased Subpoena. Filed April 19, 1867 DT Taylor Clerk

The People of the State of California, send Greeting to A.W. Thompson & John Dahndlls We command you, that, all and singular, business and excuses being set aside, you appear and attend before the Hon. Joseph Almy Judge of the Probate Court in and for the County of Marin State of California, at a term of said Court to be held at the Court Room of said Court at the Court Room in the said County of Marin on the 19th day of April A.D. 1867 at 10 o'clock A.M. then and there to testify in the matter of the said Estate, and disobedience will be punished as a contempt by the said Court, and you will also forfeit to the party aggrieved the sum of one hundred dollars, and all damages which may be sustained by your failure to attend.

Witness, Hon. Joseph Almy Judge of the said Probate Court, at the Court Room thereof, in the County of Marin this 9 day of April A.D. 1867 Attest, my hand and the seal of said Court, the day and year last above written. David T. Taylor Clerk

Citations to Heirs and Parties interested in Probate Filed Apr 19 A.D. 1867 D. L. Taylor Clerk

In the matter of the Estate of Bartolome Bojorques Deceased, Citation to Heirs and Parties interested in Probate. The People of the State of California, To the Sheriff of the County of Marin. Greeting: By order of this Court, you are hereby required to cite Nicolasa, Pedro, Jose Gerald, Juan, Angel Bojorques, Angela Howe, Marcella Lopez, Ignacio Igara, Theodosio Carrillo, Juan (a) Johnson to be and appear in our Probate Court of the County of Marin at the Court Room thereof, at the Court House in the said County of Marin on Friday the 19" day of April A.D. 1867 at 10 o'clock A.M. of that day, then and there to show cause, if any they have, why a certain instrument in writing, presented to the said Probate Court, and how on file therein, should not be admitted to Probate as the last Will and Testament of said deceased, and why letters testamentary should not be issued to Pedro Bojorques according to his petition on file. Witness the Hon. Joseph Almy Judge of our Probate Court, at the County of Marin this 9 day of April A.D. 1867 Attest: David T. Taylor Clerk,

On June 19, 1867 another citation was again issued to the above heirs for the same reason as the previous one. On the back the Certificate of Service of Citation states that on June 15, 1867 Angel Bojorques and Pedro Bojorques had been served citations by Fred Kugle (?) Constable)

Proof of Publication Filed July 24, 1867 D.T. Taylor Clerk by J. Shorb State of California County of Marin

Judge (?) A Barney being ? and sworn says that he is the Publisher Printer and Chief Clerk of the paper known as the Marin County Journal- a newspaper published once a week (words marked out, illegible) in said County in San Rafael that the notice of which the annexed is a copy was published in said newspaper-once a week for three (?) week commencing on the 23d of March 1867 and (?) on the 6 of April 1867 ? A Barney Subscribed to & sworn to before me this 24 July 1867 (Illegible?)

Probate Notice.

In the Probate Court of the County of Marin, State of California. In the matter of the Estate of Bartolome Bojorques, deceased. Pursuant to an order of said Court made on the 18th day of March A.D. 1867, notice is hereby given that Friday the 19th day of April A.D. 1867, at 10 o'clock A.M. of said day, and the Court Room of said Court, for proving the will of Bartolome Bojorques, deceased, and for hearing the application of Pedro Bojorques, for the issuance to him of letters testamentary, when and where any person interested may appear and contest the same. Daniel T.

Dated March 18, 1867 (mh23,3w) Testimony of Subscribing Witness Filed Taylor Clerk July 24 1867

A. W. Thompson of lawful age being duly sworn in open court testified as follows:
I reside in Sonoma County, California I knew Bartolome Bojorques the deceased in his
life-time. At the time of his death he was a resident at Marin County & State of
California. He died on the 4th day of September 1863 at Marin County and was at the
time of his death of the age of eighteen years and upwards. His family consisted of
wife & several children Due search and inquiry have been made among his effects and
elsewhere. And the only will found, to my knowledge, is that filed in this court on
the 5 day of March 1867, and now offered for Probate. The document or instrument now
shown to me marked and filed in the Probate Court, March 5 1867, purporting to be the
last will and testament of said deceased, was signed by me as a witness thereto, in
the presence of the testator, and at his request, and in the presence of John Dohn-
nelly the other person whose name is subscribed thereto as a witness; he signed his
name, as a witness in the presence of the testator, and at his request, and in my
presence, and we signed in the presence of each other, and the said Bartolome Bojor-
ques signed the same in our presence, and then and there declared the same to be his
last will and testament, and all on the day of which it bears date. To wit the 23d
day of June 1863- At the time of making and signing the said instrument, the said
Bartolome Bojorques was of sound and disposing mind, and not under restraint or und-
ue influence or fraudulent misrepresentations. Subscribed and sworn to in open court
before me, this, 24th Day of July 1867 A.W. Thompson
Joseph Almy County Judge & Ex off Probate Judge of Marin County

Order of Probate of Will Estate of B. Bojorques Filed July 24, 1867 D.T. Taylor
Clerk

In the matter of the Estate of Bartolome Bojorques Decd In Probate Court Marin Co.
State of Calif.

The petition of Pedro Bojorques heretofore filed in the above entitled matter pray-
ing for the admission to Probate of a document purporting to be the last will and
Testament of said Deceased and to be appointed executor of said estate & that letters
testamentary thereon be granted by law this day coming on respectfully to be heard
in open court-

And due proof being made to the satisfaction of the Court that notice has been
given of the time appointed for proving said will and for the hearing of said petit-
ion and (? Citation have been duly issued & served as required by law & the prev-
ious order of this Court and it appearing to the Court that notice has been given
according to law to all parties interested and after examining the Petitioner and
A.W. Thompson one of the witnesses produced in behalf of said Petitioner whose test-
imony has been reduced to writing and filed from which it appears that said document
is the last will and testament of said Bartolome Bojorques-Decd that it was executed
in all particulars as required by law and that the Testator was of sound mind at the
time of its execution that said Bartolome Bojorques died on the 4th day of September
1863, in said County of Marin, being a resident of said County of Marin at the time
of his death and leaving real estate of the value of about eight hundred dollars-
and no objection being made or filed and said application being (?) to law-

It is ordered that the paper heretofore filed in March 5th 1867 purporting to be
the last will and testament of Bartolome Bojorques deceased be admitted to Probate as
the last will and testament of Bartolome Bojorques Deceased, that Pedro Bojorques said
Petitioner be and does hereby appointed Executor & that letters testamentary thereon
issue to said Petitioner upon his giving the bearer required by law as such Execut ?
in the sum of \$2.000 with sufficient sureties to be appraised (?) by the Probate Jud-
ge and upon the taking the oath required by law

(?) in open Court this 24th day of July 1867-
Joseph Almy County Judge & Ex off Probate
Judge of Marin County

Note: I do not know who Biter (?) Berreyessa was but must have been a relative of
the wife of Juan Bojorques.

27

District Court 7th District William Johnson et al vs Bartholomew Bauhaugues
Copy of summons & complaint Take notice that the above cause will be brought unto
trial on the first Monday of April 1852 or as soon thereafter as the cause shall re-
ached (?) on the calender. Dates the 29th of Feb 1852 Skidmore Atty
To Theodore Bauhaugues
State of California
County of Marin

To Bartholomew Bauhaugues, Pedro Bauhaugues, Angel Bauhaugues, Angelina Bauhaugues,
Henry Howe, Macella Casus, Lopes Casus, Jose G. Bauhaugues, Juana Igaro, Ignatio Ig-
aro, Theodore Bauhaugues, Juan Bauhaugues Greeting.

Whereas William Johnson and George Wilson have filed a complaint against you and
each of you in the District Court for the seventh Judicial District at San Rafael in
Marin County, You and each of you are therefore required to appear and answer the sai
complaint a copy of which is hereto annexed within the times herein after mentioned
or judgement by default will be taken against you the said Bartholomew Bauhaugues for
nine hundred and twenty seven dollars and fifty cents, with compound interest thereon
at the rate of ten per cent per month from the 8th day of February 1852, and judge-
ment will be taken that so much of the Rancho of San Antonio be sold as will be nese-
ary to pay said amount with costs, and in case said premises do not bring sufficient
to pay the said sum and costs, that the plaintiffs have execution for the balance re-
maining unpaid against said Bartholomew Bauhaugues. The time for answering said com-
plaint is as follows, to wit, on the defendants on whom the same is served in this co-
county ten days exclusive of the day of service, on those out of this county twenty da-
ys exclusive of the day of service. In witness whereof I have hereto affixed the
seal of said district court and set my hand at San Rafael this 27th day of February
1852 Jas S. Poindexter Clerk

Marin County District Court 7th Judicial District William Johnson and George Wilson
plaintiffs vs Bartholomew Bauhaugues, Pedro Bauhaugues, Angel Bauhaugues, Angelina
Howe, Henry Howe, Marcella Casus, Lopez Casus, Jose G. Bauhaugues, Juan Igaro, Ignatio
Igaro, Theodore Bauhaugues, Juan Bauhaugues, defendants

The said plaintiffs come into this court by W. Skidmore his attorney and complain
of said defendants as follows to wit, the said plaintiffs aver that heretofore to wit
the eighth day of March in the year one thousand eight hundred and fifty one Barthol-
omew Bauhaugues of Marin County was indebted to James A Shorb in the sum of four hun-
dred and fifty dollars for so much money on that day lent by the said James A Shorb
to said Bartholomew Bauhaugues and the said sum was by his request applied to the pay-
ment of his the said Bauhaugues taxes and being so indebted he understood and promised
to pay the same within six months from that time with ten per cent per month interest
thereon and further stipulated that of such interest should not be, punctually paid
that the interest from the day it becomes due and payable should become a part of the
principal debt. And to secure the payment of said ? so due as aforesaid with the
interest the said Bartholomew Bauhaugues made and executed a mortgage to said James
A Shorb in and by which in order to secure the payment of said principal sum lent with
the interest to accrue thereon he mortgaged to said James A Shorb the following real
estate to wit, All that tract or parcel of land situate in the counties of Marin and
Sonoma in the State of California and called the Rancho of the Laguna San Antonio it
being the rancho on which said Bartholomew Bauhaugues then resided containing six lea-
gues of land. And the said plaintiffs further aver that on the twenty second of Sep-
tember 1851 the said James A Shorb sold for a good and valid consideration to the said
plaintiffs the said mortgage with the amount of money due thereon- And the said plain-
tiffs aver that there is now due to them on said mortgage the sum of nine hundred and
twenty seven dollars and fifty cents with interest thereon at the rate of ten per cent
per month to be compounded monthly from the eighth day of February 1852

And the plaintiffs further aver that since said mortgage was given by said Bauthol-
omew Bauhaugues he has sold and conveyed to the following persons each one individual
ninth of his said rancho to wit Pedro Bauhaugues, Angel Bauhaugues, Angelina Howe wife
of Henry Howe, Marcella Casus wife of Lopez Casus, Jose G. Bauhaugues, Juana Igaro wif
of Ignatio Igaro, Theodore Bauhaugues, Juan Bauhaugues-

The said plaintiffs therefor pray judgement against said Bartholomew Bauhaugues
for the said sum off nine hundred and twenty seven dollars and fifty cents and comp-
ound interest thereon at ten per cent per month from February 8th 1852 until paid with
costs. And that so much of the mortgaged premises be sold as will be nescessary to

pay said amount with costs, and that in case the mortgaged premises do not bring sufficient to pay the same that the plaintiffs have execution against Bartholomew Bauhaque for the balance remaining unpaid. And the plaintiffs pray such other and such further relief as the case may require and as shall be agreeable to equity. W. Skidmore
plffs atty

Note: the other papers are copies of this. This tax debt is what evidently started the selling off of Rancho Laguna de San Antonio which in turn led to Gates vs. Salmon. The American settlers troubles were with each other over boundaries and who bought which tract from which Bojorques for when they bought land the Bojorques seem to have been quite willing to sell but let the settlers choose the land they wanted. However the rancho had not been surveyed and divided into the nine parts the grantee had distributed among his eight surviving children and himself. The settlers found themselves claiming parts of the same land where their boundaries overlapped. The American settlers do not seem to have had trouble with the Bojorques but litigated with each other. Steve Richardson (S.F. Call, 1918) Rancho Laguna de San Antonio was occupied by squatters. I do not know to what extent this was true. Whether some occupied land and would not pay for it I do not know. Marin and Sonoma Counties Recorder's Offices have these sales of land on record. Was payment nominal to keep it legal or at the lands real value? The Sonoma Co. History of 1879 on Rancho Sotoyome tells how a sheriff could be powerless against numerous squatters until he was re-inforced by the Petaluma rifles and others against the squatters. One person who sympathized with a heir of the Sotoyome grant was murdered by squatters.

Gates vs. Salmon. p. 184, June 5th, 1861. H.P. Hentzleman testifying on Deed No. 54

"This deed is in the handwriting of M.G. Lewis. It was executed at Kent & Smith's store, in 1852, I think. I know the paper by the interlineation between the 6th and 7th lines from the top. I came to Petaluma in 1851, and left here in 1857, to the Indian Agency. I was in business in Petaluma, and was well acquainted with the Bojorques family. I was in Kent & Smith's store when the deed was executed. Mr. Kent and Mr. Field were there."

"I saw Harry Howe sign it, and know his handwriting on it to be genuine. I saw Pedro and Bartome sign it also. I remember it from the fact that I thought there was generally some trickery going on with them, in getting deeds for more land than was sold, and I frequently cautioned the Bojorques family in regard to it. Major Singley and myself frequently talked about it."

Cross-examined.

"I have seen the Bojorques family sign five or six deeds, or more. My impression is that Major Lewis used to frequently loan them money. Think Lewis generally wrote his deeds without interlineations. I would have recollected the interlineations in this deed, without seeing it. I saw or heard of no consideration passing when the deed was signed."

"I cautioned the family because I did not believe that they understood courses and distances as Americans would. I had dealings with them, and did not wish to see them cheated; and I did not think at that time that M.G. Lewis would hesitate to take the advantage of them. Another reason I have of remembering the deed, is that I thought at that time that a Justice of the Peace of Sonoma County could not take an acknowledgment for parties in Marin"

A J.S. Lewis testified that he loaned Mr. Cameroñ \$500 to pay to the Bojorques (Bartolome and Pedro) for the payment of taxes. He thought it was in 1853.

The Calif. Hist. Soc. Quarterly, V. 16, p. 249, Sep. 1937 (No. 3) lists Bartolo Bojorques and family along with others in 1836 as having been recruited by M.G. Vallejo for Sonoma. Some lived in the town and others nearby. He had tried to settle people where Mark West Creek comes out of the hills and where he in 1836 started the Petaluma adobe but they would not stay at these places because of Indian hostility. The Hajar-Padres colony would stay at the Mark West site either after their arrival in 1834 from Mexico. In the late 1830's William Mark West, an Englishman settled there and was grantee of Rancho San Miguel.

Marin County - Sales of land from Rancho Laguna de San Antonio				29
Book of Deeds			Page	
Grantor	Grantee			
21 Bojorques Bartholomew	Bojorques Pedro et al	Nov 21 1851A		106
<u>Grantees</u>				
12 Boharques, Pedro	(Note: This is the deed dividing Rancho Laguna de San Antonio into un- divided ninths among the grantee and his children.)	Nov 21 1851		A 98
Angel				
Angelicci				
JG				
T and Juan et al				
Grantor	Grantee			
8 Bojorques Juan		Jan 24 1853		
9 " B etux				
10 " Theodocio				
11 " Francisco	Tushan John			A 257
12 " B etux				
13 " Juan				
14 " Jaraldo				
15 " Theodocio				
16 " Francisco	Kelley Daniel			A 258
17 "				
Grantor				
21 Bojorques B & Jaraldo etux	Cameron Thos P	Oct 28 1857		A 363
Grantor				
26 Bojorques Bartholomew	Clark Jeremiah et al	Jan 9 1854		A 397
27 " Bartholome	Clark Jeremiah et al	" " "		A 400
32 " B & Juan etux	Hulite P B et al	Jan 24 1854		A 432
Grantee	Grantor			
26 Bojorques B	Bojorques J J etux	May 20 1857		A 334
Grantee	Grantor			
27 Bennell Nathaniel etal	Howe Henry etux	Jul 22 1857		A 359
Grantee	Grantor			
30 Brown John M & Sam'l	Bojorques B etux	Oct 17 1857		A 381
2 Grantor	Grantee			
Bojorques B etc & G P A J M	Clark Jeremiah etal	----- 1854		A 444
Grantor	Grantee			
9 Bojorques B etc etal	Barbara Ann Lewis	June 26 1852		A 9
Grantor	Grantee			
10 Breton (Prudon) V etux	Lewis Barbara A			A 9
Grantor	Grantee			
14 Bojorques B etc etal	Hewlett P B	May 23 1853		A 42
Grantor	Grantee			
15 Bojorques B etc etal & P M	Lewis M G	Jan 13		A 51
Grantor	Grantee			
19 Bojorques T (By Shff)	Moylan Thomas	July 27 1853		A 80
Grantor	Grantee			
20 Bojorques J G DO	Moylan Thomas			A 82
Grantor	Grantee			
31 Bojorques B etc etal	Hewlett P B	Mar 27 1855		A 214
Grantee	Grantor			
4 Brown No M	Bojorques Pedro	May 13 1859		B 448
Grantee	Grantor			
15 Bojorques Jose G	Bojorques B etux	Jan 7 1857		B 76
Grantee	Grantor			
24 Brown J M & Sammuel	Bojorques Pedro	Oct 17 1857		B 152
Grantor	Grantee			
9 Bojorques Jose J etux	Bojorques Bartolome	May 20 1857		B 334
Grantor	Grantee			
16 Bojorques B etux	Brown J M & Saml	Oct 17 1857		B 381

Marin Co. cont.			30
Grantor	Grantee		
24 Bojorques P DO	John M	May 13 1859	B 448
Grantor	Grantee		
32 Bojorques B etc etal & Y F P	Tustin Samuel	Dec 8 1855	B 43
Grantee	Grantor		
6 Bliss Wm D etal	Prudon T B	Feb 19 1859	C 232
Grantee	Grantor		
7 Brown Jno M & Saml	Bojorques B etux	May 3 1859	C 238
Grantee	Grantor		
12 Brown Jno M	Bojorques Pedro	June 1859	C 245
Grantee	Grantor		
17 Bojorques Bartholomew	Brown Jno M etal	May 3 1854	C 383
Grantee	Grantor		
18 Bojorques	Brown Jno M	June 18 1859	C 384
Grantor	Grantee		
4 Bojorques Jas etux	Gaston Hamilton	Jan 7 1857	C 75
5 "	" Martin and		
6 "	" Hugh etal		
Grantor	Grantee		
18 Bojorques Pedro	Brown J M & Saml	Oct 17 1857	C 152
Grantor	Grantee		
31 Bojorques B etux	Brown J M & Saml	May 3 1859	C 238
Grantor	Grantee		
1 Bojorques Pedro	Brown Jno M	June 18 1859	C 245
Grantor	Grantee		
26 Bojorques Angel etux	Talamantes Antonio	Dec 19 1861	C 414
Grantor	Grantee		
28 Bojorques Juan etux	White Joseph etux	June 7 1860	C 433
Grantor	Grantee		
5 Bojorques B etc etal A & P	Greigg George	Feb 2 1857	D 26
Grantor	Grantee		
7 Bojorques P. etc etal A J & T	McCullough S G	Mar 12 1857	D 53
Grantor	Grantee		
10 Bojorques A etux	Jewell Geo C & Isaac R	?	D 95
Grantor	Grantee		
26 Bojorques Clara	Godoy Adrian	Aug 26 1869	G 549
Grantor	Grantee		
6 Bojorques Lorenzo	Williams Jose	Apr 21 1869	G 250
Grantor	Grantee		
23 Bojorques Clara & Isidro	Godoy Adrian	Aug 16, 1869	G 547
Grantor	Grantee		
13 Bojorques Sebastian	Fraser Danl S	Sep 28 1860	H 159
Grantor	Grantee		
21 Berry Richd H	Valencia J R	Mar 22 ?	H 272
Grantor	Grantee		
27 Bojorques Rafael	Godoy Adrian	Aug 4 1870	H 228
Grantee	Grantor		
26 Stanley A J (S section)	Bojorques J G etux	Jan 7 1857	B 75
T Section-Grantor	Grantee		
7 Talamantes Antonio	Greigg George	Feb 2 1857	C 26
W Section- Grantee	Grantor		
7 White Joseph etux	Bojorques	?	?
Grantee	Grantor		
25 Williams ?	Bojorques Lorenzo	Apr 21 1869	F 250
B Section-Grantor	Grantee		
11 Bojorques Pedro	Godoy Adrian	Aug 23 1873	L 290

Grantor	Grantee		
19 Bojorques Pedro	San Martin Agusta	Nov 30 1870	L 387
Grantor	Grantee		
20 Bojorques Pedro	Barra Tomassa Mrs.	Nov 30 1870	L 390
Grantor	Grantee		
32 Bojorques Isidro & Sebastian	Valencia Jose Ramon	Jul 24 1878	S 328
Grantor	Grantee		
13 Bojorques Land Assoc. (Trustee)	Walker L.W	Sep 7 1878	S 585
Grantor	Grantee		
14 Bojorques Land Assoc. (Trustee)	Denman E	Dec 1 1879	S 621
Grantee	Grantor		
3 Bojorques Marianna	Bojorques Pedro	Jan 28 1880	V 270
Grantor	Grantee		
10 Bojorques Land Ass. (Trustee)	Sartori Peter & Ignacio	Feb 5 1878	V 416
Grantor	Est. of final dec. in Partition		
20 Bojorques A			W 438
Grantor	Grantee		
25 Bojorques Land Assoc.	Feb 13 1882 Marin County x		B
Grantor	Grantee		
26 Bojorques A est of	Martin Chas et al	Sep 8 1881	W 438
Grantee	Grantor		
12 Williams Jose et al	Bojorques A (est of)	Sep 8 1881	W 438
J Section			
Juhl Hans	Patty L H etux	Dec 20 1890	16 1
1886 to 1896 - No Bojorques, Talamantes nor Howes, various Williams, none Jose W.			
1896 to 1899			
Grantor	Grantee		
Howe Henry N (est)	Freitas, Juan B Howe	Nov 1 1897	47 308
Grantor			
Howe Juana B et al (formerly)	Maggetti Pietro	" " "	47 310
Grantor	Grantee		
Howe Andrew	Bell Henry R	June 1 1898	51 190
Grantor	Grantee		
Howe Henry N (est)	Freitas Juana B Howe	Nov 1 1897	47 308
T Section, years as above			
Grantee	Grantor		
32 Talamantes Angela	Talamantes Antonio (est)	Feb 14 1898	50 80
Grantor	Grantee		
30 Talamantes Angela	Talamantes Tacho	Feb 14 1898	50 82
Grantor	Grantee		
29 Talamantes Antonio (est)	T. Angela	Jan 28 1898	50 80

Not checked beyond 1898

Note: In Gates vs. Salmon, not all deeds could be found in personal papers nor recorded in Marin nor Sonoma Counties. Early Marin by Jack Mason, Twilight At Chileno Valley, 1st. edition, 1971 and Diseno Trouble, 2nd. edition, 1976, says the last thirty acres called Spanish Town were sold for \$200.00 in 1890 but nothing seems to correspond to this in the above. The 1873 Marin Co. map shows Spanish Town. The Marin Co. History of 1880, p. 313, San Antonio Township.... The rancho Laguna de San Antonio was granted to Bartolome Bojorques, Nov. 25, 1845, by Pio Pico. It was a six league grant and contained twenty-four thousand nine hundred and three and forty-two one-hundredths acres. It was confirmed to the grantor (grantee). The area of this once princely landed estate has dwindled down to only thirty acres. There are quite a number of the descendants of this family living on this tract, which is known locally as "Spanish Town."

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Bohorques P et al	Lewis M G	Jan 13 1853 M 1	149
Bohorques N L et al	Lewis M G	Jan 13 1853 M 1	149
Bohorques M L et al	Lewis M G	Jan 13 1853 M 1	149
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Bojorques J et al	Howe Henry	" -	
Bojorques T et al	Howe Henry	" -	
Bojorques Petral (?)	Howe Henry	" -	
Bojorques J H	Howe Henry	" -	
Bojorques M et al	Howe Henry	" -	
Bojorques A et al	Howe Henry	" -	
Bohorques B et al	Singley James	June 21 1853 M 1	270 & c
Bohorques N et al	Singley James	" -	
Bohorques P et al	Singley James	" -	
Bohorques A et al	Singley James	" -	
Bohorques J et al	Singley James	" -	
Bohorques G (?)	Singley James	" -	
Bohorques Y et al	Singley James	" -	
Bohorques J et al	Singley James	" -	
Bohorques N et al	Lewis M G et al	Jan 24 1854 M 1	323 & c
Bohorques Juan	Lewis M G et al	" -	
Bohorques P } Brackman Shff }	Leng N J T	Nov 22 1853 N 1	53 & c
Bohorques Bartolo & wife et al	Taylor J Rhodes & Moses A J	Jan 26 1854 N 1	17
Bohorques Pedro wife et al	Taylor J. Rhodes etc	" -	
Bohorques Angel wife et al	Taylor J. Rhodes etc	" -	
Bohorques Jose Jeraldo et al	Taylor J. Rhodes etc	" -	
Bojorques Teodoro et al	Taylor J Rhodes etc	" -	
Bojorques Juan et al	Taylor J Rhodes " etc	" -	
Bohorques Bart et al } Bohorques Pedro " " } Bohorques M L " " } Bohorques N L " " }	Lewis M G	Jan 13 1853 N 1	196 & c
Bohorques B et als } Bohorques Jeraldo et al } Bohorques N L et al }	Cameron T P	Oct 28 1852 N 1	253 & c
Bojorques B F et al } Bojorques M N et al } Bojorques T et et al }	Tustin Samuel	Dec 8 1855 N 1	425

Grantor	Grantee		33
Bojorques G et al	(Tustin Samuel)		
Bojorques Angelo et al			
Bojorques Clara et al			
Bojorques Pedro et al			
Theodore et al			
Bojorques Bartololme x	Bojorques Jose G	Jan 7 1854 B 1	510 &
Bojorques Nicolasa his wife }			
Bojorques J G & wife }	Gaston H & M & H	Jan 7 1854 B 1	512 &
Bojorques Francisco }	Johnson G W Stanley A J et al		
Bohorques B & wife }	McCullough I and	Mar 12 1854 B I	648 &
Mary N et al }	Scribner Joel S		
Boggs A G			
Bojorques Bartolo et al	Vallejo Benicia	Jan 3 1857 B 1	743
Bojorques J J & wife et al }	Moore Robert		
Bojorques Nicolasa et al }			
Bojorques Angel & wife et al }	Robert Moore	Jan 12 1854 B 1	744 &
Bojorques Nicolasa et al }			
Bojorques Bartolo et al }			
Bojorques J J & wife et al }	Winn Jacob	Jan 3 1854 B 1	747 &
Bojorques Nicolasa et al }			
Bojorques Angel wife et al }			
Bojorques Pedro & wife et al	Winn Jacob	Jan 12 1854 B I	748 &
Bojorques B & wife et al	(blank, part of above ?)		
Bojorques J G (?) & wife	Bartolomew	May 20 1854 B I	752
Bojorques B & wife	Brown John M et al	Oct 17 1854 No 6	251 &
Bojorques Pedro	Brown John M et al	Oct 17 1854 No 6	253 &
Bojorques Tor y (?) (Juana)	Salmon F or T et al	Nov 30 1858 No 7	788
Bojorques & wife	Jewel Geo C et al	Dec 22 1858 No 8	242
Bojorques Bartholomew	Bojor ues Pedro et al	Nov 17 1851 No 8	386
Bojorques Theodocio	Bliss Wm et al	Feb 19 1859 No 8	388
Bojorques B & wife	Brown J M et al	May 3 1859 No 8	630
Bojorques Pedro	Brown J M	June 18 1859 No 9	36
Bojorques B & wife	McCullough S & G and	Mar 12 1857 No 9	629
and others	Scribner Jack S ?		
Bojorques & wife	Carder D D	June 7 1860 No 10	293
" " "			284
Bojorques Bartolomew			
" Maria Nicolasa			
" Jose Jeraldo			
" Pedro & Juan	Lewis Barbara Ann	June 26 1852 10 321	sc
" Angel			
" Angel Maria de la Luz			
Breton Victor (Prudhon)			
Theodocia et al			
Bojorques Gerundo and	Corno Wm E	June 22 1866 19 96	
Francisco			
Bojorques Sebastian	Frazier Daniel T or J	Sep 28 1868 25 503	
1868 to 1874			
Bojorques Lorenzo	Williams Jose	Apr 1869 26 452	
Bojorques Isidoro	Godoy Adrian	Aug 1873 41 558	

Grantor	Grantee		
Bojorques Land Assoc.	Hill William	Nov 2 1877	62 62 ³⁴
Bojorques " "	Whitney A.P.	Nov 28 1877	65 67
Bojorques Land Assoc. By William Hill Trustee	Warner Gustavus	Nov 5 1877	85 83
	1878 to 1882		
Bojorques Land Assoc.	Marshall S Al ?	Nov 5 1877	65 ? 209 ?
Bojorques Land Assoc.	Lampe William	Nov 5 1877	65 413
Bojorquess Land Assoc.	Denman E	Dec 1 1877	62 446
" " "			450
" " "			453

1882 - 1885, none
1885 - 1888, none
1888 - ? (Book 8 of index), none

Note: No transaction are listed for Maria Marcella Bojorques who went to southern California and left her share of Laguna de San Antonio in the care of her sister Maria Teodocia. The land was in the Two Rock area. *

Note: these land sales show how Rancho Laguna de San Antonio was sold off to the American settlers. Taxes and debts seem to have been the main reasons. Also the economy changed from cattle for beef which were replaced by better types as well as dairy cows and general farming. Angel Bojorques and his family and Jose Williams kept parts of the ranch and I do not know when the Williams finally left the hidden valley south of Chileno Valley in the S. W. part of the original ran cho.

* Data from Inez Pegram, Sep. 19, 1989. Inez Pegram is a gt. granddaughter of Ma. Marcella Bojorques and her 1st. husband Jose de Jesus Lopez

The Brown Family Papers at the Bancroft Library U. of Calif. Berkely, sent by Nancy Henshall has the following: Jose Geraldo Bojorques and Francisca Balencia Bojorques his wife (county of Sonoma) (only Henry Howe, Pedro Bojorques and Jose Geraldo Bojorques signed names on all documents- others have x marking their signatures).

Feb. 2, 1857 John Slard and Marcella Lopez his wife (residents of Los Angelo) John signed name - Marcella made x mark.

Bartholomew F. Bojorques	Francisca Bojorques	, Some of these names are garbled, Gando, Ausa.
Maria Nicolasa Bojorques	Angelo Bojorques (she)	
Maria de la Luce Howe	Ausa Bojorques (she)	
Maria F. Johnson	Fiodosia Bojorques (she)	
Gando Bojorques		

Gates vs. Salmon, p. 8, Mar. 21, 1860, deed: from John Slard and Marcella Lopez his wife to John Richardson and Charles Hunt, Date Feb. 2, 1857 purporting to convey 1/9 of the ranch in question; recorded 16 Feb. 1852, in Marin Co, when the original deed is found, or basis laid for a certified copy-to be numbered Ex. 20. - It goes on to say that Hunt and his wife Sophie, sold 1/4 of 1/9 to James and Ezekial Denman. Some names in the testimony can be found on the 1873 Marin Co. Map and pp. 62-63 of the Sonoma Co. Atlas of 1878 which shows Rancho Laguna de San Antonio.

Frequently mentioned in Gates vs. Salmon are the Dos Piedras, the rocks which give Two Rock its name. William Benitz diseno shows the trail from Misn. San Rafael going between them as it continues onto to Bodega. The Marin-Sonoma County line originally went between them, p. 197-8, 1880 Marin Co. History, confirmed Apr. 25, 1851. On May 15, 1854 and again on Apr. 25, 1860 changes were made in S.F. Bay but the line continued to go between the Dos Piedras but sometime before the 1873 Marin Co. Map was printed the County line had been moved further west about 1/2 miles where it now is.

The Spanish Archives in the State of California, Sacramento have a translation of Expediente 483 for Rancho Laguna de San Antonio thought to be by Juan Clar but as another translation of it was in the Land Case 61 ND that I have sent separately to some descendant. I have not included it here.

From Hoffman's Land Cases (Ogden Hoffman was the presiding judge)

U.S. District Court, Calif 1853-1858

44, 61 ND, 483. Bartolome Bojorques, claimant for Laguna de San Antonio, 6 square leagues in Marin County, granted November 5th, 1845, by Pio Pico to B. Bojorques; claim filed February 17th, 1852, confirmed by the Commission October 12, 1853, by the District Court September 10th, 1855, and appeal dismissed November 25th, 1856, containing 24,903.42 acres.

Charmaine Burdell has sent several early newspaper articles about Rancho Laguna de San Antonio that were published in Petaluma.

The Petaluma Weekly Journal, vol 1, no 4. Sep 8, 1855 4/4 (weekly add till 22, & late Ranch For Sale

Calish & Newman offer for sale a beautiful rancho, consisting of one hundred and ten acres of land, ore or less, situated within three miles of Petaluma, on San Antonio Creek.

This rancho is heavily timbered and well watered; and for fertility the soil is unsurpassed in the county of Sonoma. The land is part of the Bojorques grant, and has been confirmed by the U.S. Commissioners. For further particulars enquire of Calish & Newman, merchants of Petaluma, or of Wm. A. Cornwall, attorney at law.

Sonoma Co. Journal Friday Oct. 28, 1859 THE BOJORQUES SURVEY SETTLED

Last Monday Judge Hoffman rendered the following opinion in reference to the survey of this ranch. As the ranch is located in the immediate vicinity of this city, and many of our readers are personally interested in the matter, as well as for the purpose of informing the public generally of the general principles which the court will observe in the examination of surveys, we give the opinion of the Court entire. The court in this case intimates very clearly a determination to see that where a line is accurately described in the grant, as was the fact in this instance by the declaration that it passes through "Las Dos Pedros," that this line must be strictly adhered to in locating. This is an important point settled, and one that will very likely be the means of settling aside the the location of a large number of grants, notwithstanding these locations have received the approval of the Surveyor General, in whose acts the Court says much discretion is confided.

The United State vs . Bartolomeo Bojorques.-This case comes up on objection filed to the survey of the Rancho of Lagaua de San Antonio, made by the Surveyor General.

The land granted is described in the petition and grant as of six leagues in extent, and "bordering towards the southeast on Juan Martin, towards the northwest on the two rocks (las dos piedras), towards the southwest on las Tomales, and towards the northeast of Juan Miranda."

The diseno, which is drawn with somewhat more than usual skill, shows that the tract solicited was a right angle parallelogram three leagues in length and two leagues in width. The survey returned into Court preserves the form of the tract indicated by the diseno, with the exception of a deflection in the eastern line, which is made to run along the Arroyo de San Antonio, and along the margin of the Laguna of the same name, so as to correspond with the western boundary of Juan Miranda, as indicated on the diseno of the later.

The survey is objected to on the ground that the southern line is improperly located; that it should be run more to the south or less to the west; and as it is admitted that the tract must be a parallelogram with all its angles right angles, that it must be two leagues wide by three leagues long, and that its northerly line must pass through the noted natural object known as "Las Dos Piedras," the only mode in which the survey could be altered to meet the objection, would be to swing round the parallelogram on "Las Dos Piedras," as on a pivot, in such a way as to preserve the parallelism of the boundaries, but to give the proposed direction to the southern line-to which by the location suggested, the northern line would be made parallel, and the eastern and western lines perpendicular. The reasons for this change are chiefly contained in the deposition of Mr. Benitz.

This witness testified that he made the diseno presented by the claimant. That the southern line was desired by him, and intended by the witness. He represented as a range of hills, the general direction of which is considerably to the south of the direction of the southern line as run by the Surveyor General. He further states that the compass used by him was defective, and that the points of the compass as laid down on the diseno are inaccurate. On this testimony the Court is asked to adopt the range of hills as the southern boundary, and preserving, as before stated, the dimensions of the tract and the directions of the lines relatively to each other, to locate the surveys by adopting the range of hills as a base, and erecting the parallel-gram upon it.

It has already been stated that the tract is described in the grant as bordering towards the S.E. on Juan Martin. The range of hills is not mentioned as the southern or southeastern boundary. In Juan Martin's grant the northern boundary is described as "a narrow canada adjacent to the low hills," and Mr. Matthewson, a witness called in opposition to the survey, states that the sobrante between the Juan Martin, Bojorques, Miranda and Olompali ranches has been granted, and that all the land, if any, which lies between Juan Martin and Bojorques would be embraced by it. It appears therefore, that the range of hills claimed to be the southern boundary of this tract is not called for by the grant itself or the accompanying diseno, nor by the grant or diseno in the case of Juan Martin, and that a sobrante grant has been made, which will include what low land may be found between the southern boundary of Bojorques and the northern boundary of Juan Martin. Thus indicating that the grant to the former was described as bordering on the lands of the latter; it was not contemplated that the southern boundary of the one should necessarily be identical with the northern of the other-but that when the lands were measured a sobrante might result, which could be granted to a third party. If, however, the evidence of Mr. Benitz were the only means of arriving at the true direction of the southern boundary, it ought, perhaps, to be located in accordance with his statement as to the desires of Bojorques and his own intention of drawing the diseno.

But the diseno itself seems to afford indications of the true direction of that line which I think should outweigh the evidence of Mr. Benitz, as to his intentions in drawing it. In the first place, the lines as surveyed precisely correspond with the direction as shown by the arrow or compass mark on the diseno. But to this indication, perhaps but little importance should be attached, and especially in this case, in view of the statement of Mr. Benitz that his compass was probably inaccurate.

2d. The eastern extremity of the southern line, as surveyed or the southeastern corner of the tract is placed at a distance to the south of the Arroyo de San Antonio, nearly exactly corresponding with the position of the corresponding corner or the tract delineated on the diseno. The eastern line, moreover, starting from the corner, and running northwardly, strikes, as located by the survey of the arroyo, at some distance from the Laguna, out of which it issues-corresponding in this respect, also, to the indications on the diseno. Whereas if the southern line was depressed as proposed, the southeast corner would be at a distance from the arroyo, but the Laguna, or would strike the the arroyo, if at all, at or near the point where it issues from the Laguna.

3d It is evident that the northern line must pass through the point called "Las Dos Piedras," It must also be at right angles to the eastern boundary. It is also clear that the tract intended to be delivered was three leagues in length by two in width. If, then, the range of hills be taken as the southern boundary, and the eastern boundary be drawn from the eastern extremity of the southern line, so located, and be produced until it reaches a point from which the northern line may be drawn at right angles to it, so as to pass through the "Las Dos Piedras," the length of each eastern line would be about four leagues-contrary to the obvious and clear indications of the diseno which shows, as before stated, the length of the tract to be only three leagues.

For these reasons I am of the opinion that it has not been so satisfactorily shown that the location is erroneous as to justify me in setting it aside.

In this, as in similar cases, it is difficult and almost impossible for the Court, obliged to learn through depositions, the natural features of a tract which it has never seen, and of which no topographical map is exhibited, to arrive at any certain or satisfactory conclusion as to the true locality of various lines.

That duty is properly confided to the surveyor who on the ground compares the calls of the grant and the indications of the diseno with the natural monuments of the country before him, and who, by the information obtained on the spot, and such as may be derived from consulting the grants and disenos/ of colindantes or adjoining proprietor is able to give a just location to the survey than this court can hope to arrive at. In the case of Hayden vs. Du Fresno- 17 How 30 -it is remarked that the Supreme Court "Great confusion and litigation would issue if the judicial tribunals, State and Federal, were permitted to interfere and overthrow the public surveys on no other ground than an opinion that they could have the work in the field better done, and divisions more equitably made than the Department of Public Lands could do." These observations apply with much force to the cases which are now being brought before this court. By the law of 1851, as well as by the nature and circumstances of the case, confident to the Surveyor General. Before the Court should disturb or set aside a survey made by him, it ought to be satisfied that the decree of confirmation has been plainly departed from, or that some clear and obvious error has been committed. I do not consider that the evidence justified such a conclusion with regard to the survey and location before the court. An order overruling the objections and approving the survey must therefore be entered.

Petalume Argus, Sept. 30, 1869

Summons

In the District Court of the Seventh Judicial District of the State of California in and for the county of Sonoma.

Horace Gates, ptf.
vs.

Action brought in the District Court of 7th Judicial District of the state of California, in and for the county of Sonoma, and the complaint filed in said county of Sonoma, in the office of the clerk of said District Office.

Frances Salmon, Gustive Touchard, Bartolome Bojorques, Nicolasa Bojorques, Jose Jeraldo Bojorques, Hamilton Gaston, Martin Gaston, Hugh Gaston, Geo. W. Johnson, A.J. Stanly, Chas McGuire, E.S. McMurray, Thos McMurray, Chas Purvine, Andrew McNamer, Martin Lewis, James W Mc Kerrey, Amanda Jane McGuire, Robert Seavy, Ezekial Denman, James Denman, Robert Andrews, John M. Brown, Sam Brown, John A. Tustin, Andrew Johnson, Maria Bojorques Johnson, Juana Bojorques, P.B. Newlett, A Anderson et al., J.T. Long, M. G. Lewis, L.W. Walker, John Muirhead, Walter B Comstock, Richard B Turner, John Shard, Marcella Lopez, John Richardson, Charles Hunt, Nathaniel Bennett, Chas Hopkins, S.F. McCullough, D Shultz, Julia P Martin, John Merritt, Chas Merritt, S.J. Davis, Levi Davis, S P Sittons, S Wiffley, H G Babcock, R G Littaker, William Faught, D Moreton, L C Lewis, J Houghton, H Gibbs, W E Flanary, J T Barnes, Willis Faught, B Sittons, W Archie, James M Stephens, Janez Faught, W March, J D Stockton, Charlotte Williams, John Williams, W Conley, G W Fowler, D R Dees, W Waggle, H Meacham, Jacob Short, J H Raynard, P Hughes, Caleb Railsback, O F Ellsworth, N C Cowles, W A Pepper, W B Wood, George Gregg, G C Jewell, Daniel Kelley, James E Smith, W W Mighell, Charles Blackburn, Cinthia Warner, Silas M Martin, Charles Purvine, David E Cameron, William Cameron, (children and minor heirs of Thomas P Cameron, deceased). G V Keller, James Singley, William D Bliss, Joel Merchant, Isaac R Jewel, Soloman Pierce, Joshua H Lewis, Barbara Ann Lewis, H H Smith, W D Kent, S M Pillar, John G Huff, Susan M Blackwell, Thomas Maylan, Pedro Bojorques, Henry Howe, Angela Howe, Theodocia Bojorques, Joseph Angellotti, H B Hasfronck, John Howland, Peter Buck, R E Steele, George Steele, H T Fairbanks, Samuel Tustin, Samuel Lewis, Joseph Wallace, A T Wilson, Lewis Calish, B Newman, J A Taylor, A J Moses, E Fitzgerald, O M Perkins, John Rustin, R O Sturdevant, George W Oman, Lafayette Collins, Barron M Minor, G A Collins, D H Collins, Joseph Parrington, W B Spears, William Ayers, Th om S Chapman, Jeremia Clarke, Francisco Cadaneva, Isaac W Smith, Tyler W Curtis, Harvey Wade, Pobert Beeching, Julia Beeching, Obed Chant, Poebe Chant, Charles H Wilson, Lodice W Adams, Robert Moore, Martin Lewis, John Powell, John M Freeman, O M Perkins, James E Fowler, J B Schooader, H H Raynard, John Allen, Gustavus Warner, L C Dodge, Administrator of the estate of Jacob Winn, deceased; Victor Prudon, John Doe Prudon, and ten others whose names are unknown who are heirs of Victor Prudon, deceased; John Doe, Richard Roe, and twenty others, unknown owners of undivided interests in said Rancho Laguna de San Antonio, Adrien Godoy, Administrator of the estate of Angel Bojorques, deceased; Clara Bojorques, widow of Angel Bojorques, deceased; Sebastian Bojorques, Lorenzo Bojorques, Rafael Bojorques, Isidore Bojorques, Juan Bojorques, Anita Bojorques, Stephen Igara, Ambrosia Igara, James Sanley

Francisco Igara, Ignacio Igara, Sebastian Lopez, Guadalupe Lopez, Francisco Lopez, Adria Lopez, Rafael Lopez, Ellen Smalley Mary Smally, Sarah Smalley, Kate Smalley, John Smalley, James Smalley, James Smalley, William Smalley, Peter Smalley, Henry Finch, W H Dalton, Lewis Vistal, W P Bullard, defendants.

The people of the State of California send greetings to Francisco Salmon, Gustave Touchard, Bartolome Bojorques, Nicolasa Bojorques, Jose Jeraldo Bojorques, Hamilton Gaston, Martin Gaston, Haga ? Gaston, George W Johnson, H J. Stanley, Charles McGuire, E S McMurray, Thomas McMurray, Charles Purvine, Andrew McNamer, Martin Lewis James W M Mckenney, Amanda Jane McGuire, Robert Seavy, Ezekial Denman, James Denman, Robert Andrews, John M Brown, Samuel Brown, John A Tustin, Andrew Johnson, Maria Bojorques Johnson, Juan Bojorques, P B Hewlett, A Anderson et al; J T Long, M G Lewis, L W Walker, John Muirhead, Walter B Comstock, Richard B Turner, John Slard, Marcella Lopez, John Richardson, Charles Hunt, Nathaniel Bennett, Charles Hopkins, S G McCullough, D Schultz, Julia P Martin, John Merritt, Charles Merritt, S T Davis, Levi Davis S P Sittons, S Wilfley, H C Babcock, R G Lyttaker, William Faught, P Moreton, L C Lewis, J Houghton, H Gibbs, W E Flanery, J T Barnes, Willis Faught, W B Wittons, W Archie, James M Stephens, Jabez Faught, W Marsh, J D Stockton, Charlotte Williams, John Williams, W Conley, G W Fowler, D R Dees, W Waggle, H Meecham, Jasob Short, I H Ranard, D Hughes, Caleb Railsback, O F Ellsworth, N C Cowles, Caleb Railsback, O F Ellsworth, N C Cowles, W A Pepper, W B Wood, George Gregg, John Tustin, G ? C Jewell, Daniel Kelley, James E Smith, W W Mighell, Charles Blackburn, Cinthia Warner, Silas M Martin, Charles Purvine, (David E Cameron, William Cameron, Oliver P Cameron, Mary E Cameron, and Alva E Cameron, children and minor heirs of Thomas P Cameron, deceased,) G V Keller, James Singley, William D Bliss, Joel Merchant, Isaac R Jewell, Solo Pierce, Joshua H Lewis, Barbara Ann Lewis, H H Smith, W E Kent, S M Dillar, John G Huff, Susan M Blackwell, Thomas Moyland, Pedro Bojorques, Henry Howe, Angela Howe, Theodocia Bojorques, Joseph Angellotii, H B Hasbrouck, John Howland, Peter Buck, R E Steele, George Steele, H T Fairbanks, Samuel Tustin, Samuel Lewis, Joseph Wallace, H T Wilson, Lewis Calish, B Newman, J R Taylor, A J Moses, E Fitzgerald, O M Perkins, John Ruston, P O Sturdevant, George W Oban, Lafayette Collins, Barron M Minoz, A A Collins, D H Collins, Joseph Perrington, W B Spears, William Ayers, Thomas Chapman, Jeremiah Clarke, Francisco Casanueva, Isaac W Smith, Tyler W Curtis, Harvey Wade, Robert Beeching, Julia Beeching, Obed Chart, Phoebe Chart, Chas W Wilson, Lodice A Adams, Robert Moore, Martin Lewis, John Powell, John M Freeman, O M Perkins, James E Fowler, J B Schoolader, J H Raynard, John Allen, Gustavus Warner, L C Dodge, Administrator of the estate of Jacob Winn, deceased; Victor Prudon, and ten others whose names are unknown, who are heirs of Victor Prudon, deceased; John Doe, Richard Roe, and twenty others, unknown owners of undivided interests in said Rancho Laguna de San Antonio; Adrian Godey, Administrator of the estate of Angel Bojorques, deceased; Clara Bojorques, widow of Angel Bojorques, deceased, Sebastian Bojorques, Lorenzo Bojorques Rafael Bojorques, Isidore Bojorques, Juan Bojorques, Anita Bojorques, Stephen Igara, Ambrosia Igara, James Smalley, Francisco Igara, Ignacio Igara, Sebastian Lopez, Guadalupe Lopez, Francisco Lopez, Adria Lopez, Rafael Lopez, Eden Smalley, Mary Smalley, Sarah Smalley, Kate Smalley, John Smalley, James Smalley, William Smalley, Peter Smalley, Henry Finch, William H Dalton, Lewis Vestal, William P Bullard.

You are hereby required to appear in an action brought against by the above named plaintiff in the District Court of the Seventh Judicial District of the State of California, in and for the county of Sonoma, and to answer the complaint filed therein, within ten days (exclusive of the day of service, after the service on you of this summons - if served within this county, or if served out of this county, but within this District, within twenty days, otherwise within forty days - or judgement will be taken against you according to the prayer of said complainant.

The said action is brought to obtain a decree from said Court that the property named in the complaint, being the rancho known as the Rancho Laguna de San Antonio, be sold, and the proceeds of such sale be divided among the parties according to their respective rights and interests, in case that the Court shall deem that a partition of the same according to the respective rights of the parties as ascertained by the Court, and to appoint a referee or referees therefore, and to designate the portions to remain undivided in case there shall appear to be owners whose interests remain unknown, or are not ascertained, and and for such other and further relief as shall appear to the Court to be just and equitable in the premises.

And you are hereby notified, that if you fail to appear and answer said complaint

as above required, the said plaintiff shall take judgement as prayed for in the 39 said complaint.

L.S. Given under my hand and the seal of the county of Sonoma, this 21st day September, in the year of our Lord One Thousand Eight Hundred and Sixty-nine.

34-3m

W M Anderson Clerk

By A. T Foylson Deputy

The Marin Journal July 16, 1870

The Bojorques case----This intricate Land case, which has been in the Courts for the past 11 years, is now on trial before Judge Morrison, in S.F.

State of California Supreme Court Reports July 1871 595-610

Points Decided (No. 2,460.)

ELEANORA. O. SALMON, Executrix of the last Will and Testament of Francis Salmon, Deceased, v. Allen T. Wilson, Isaac R. Jewell, et als.

DEMURRER FOR AMBIGUITY.- A demurrer, on the ground of ambiguity, should be overruled, if enough appears to render the pleading demurred to easy of comprehension and free from reasonable doubt.

EJECTMENT BY EXECUTOR.- ALLEGATION OF TITLE IN TESTATOR.- A complaint in ejectment by an executor is not necessarily defective because it fails to alledge any title in the testator, as neither the legal title nor the right of possession may have been in him at his death, and yet both may have been afterwards acquired by the executor as such.

EJECTMENT BY EXECUTOR-ALLEGATION OF SEIZIN.- Where a complaint in ejectment by an executrix, after setting forth the will, its probate, and the issuance of letters, averred by that virtue thereof she, as executrix, possessed herself of the real estate of the testator, and that she has ever since has been and is the owner, seized in fee, of an estate of inheritance therein, both as such executrix and as heir at law, and is entitled to the possession thereof: held, a sufficient averment of seizin and right of possession in her capacity of executrix.

DEED EXPRESSING MONEY CONSIDERATION, WHEN HELD GIFT.- In determining the character of a deed, claimed and purporting to be a gift, but also expressing a money consideration, resort must be had to the instrument itself, but if it can be ascertained from its face, in interpreted in the light of surrounding facts, that it was intended to be a gift, it will be so held, without the need of proof aliunde on that point.

DEED OF GIFT, NOTWITHSTANDING MONEY CONSIDERATION.- Where Bartolome Bojorques conveyed to his eight children eight ninths undivided of a valuable six-league ranch,*in consideration of love and affection, "and in the further consideration of four hundred and sixty-one dollars to him in hand paid by said parties of the second part:" held, that enough appeared on the face of the deed itself, in view of the value of the property conveyed in comparison with the paltry sum named, and in view of the condition of the parties, their relations, and the surrounding circumstances, to show the transaction a donation, and not a sale.

DEED OF GIFT "SUBJECT TO A MORTGAGE."- Where a deed of gift contained a provision that it was made "subject, however, to the payments, conditions, and agreements specified and continued in a certain indenture of mortgage:" held, that by accepting the deed the grantees did not become personally liable for, or assume the payment of, the mortgage debt, and that the transaction was not thereby rendered a sale.

CONSTRUCTION OF DEEDS AGAINST THE GRANTOR.- Deeds are construed most strongly against the grantor.

Statement of Facts.

TUSTIN VS. faught, 23 Cal. 241, in so far as it holds the deed of Bartolome Bojorques to his children of eight ninths of the Rancho Laguna de San Antonio to be a deed of bargain and sale, and not a deed of gift, overruled.

ACKNOWLEDGMENT BY WIFE, WHERE HUSBAND NOT RESIDENT.- Where the certificate of acknowledgment to a deed of separte property by a married woman, made under the act of February 14th, 1855, (Stats. 1855 p. 12), was dated February 26th, 1859, and set forth that she acknowledged on February 22d, 1859, and that her husband "does not now reside, and for one year next preceeding February 22d, 1859, has not resided within the State of California:" held, that an objection to the certificate, on the ground of not stating that the husband was not a resident on the day of acknowledgment, was hypercritical and untenable.

*The deed was drawn up by Judge Al Barney on Nov. 21, 1851 in San Rafael and he said that the mortgage to James A. Shorb should be put in and paid off (\$450.00 at 10% a month) before their title was clear. One of the Tustins paid it off. Gates vs.

DEED BY WIFE OF NON-RESIDENT-CERTIFICATE DATED AFTER ACKNOWLEDGMENT.- The statute relating to conveyances, by wives of non-residents, of their separate estate (Stats. 1859, p. 12), contemplates that some time may elapse, after the acknowledgment, and before the certificate, in order to make the necessary proofs as to the non-residence of the husband; but the certificate, when made, is the termination of a continuous transaction, and speaks of the day of acknowledgment.

DEED OF UNDIVIDED INTERESTS, WITH SPECIAL RESERVATION- VESTING OF TITLE.- Where a father made a deed of a gift to his eight children of eight ninths undivided of a large grant, reserving one ninth to himself, "to be laid out on that part of said rancho on which I now reside:" held, that the actual location of the reserved ninth was not a condition precedent to the vesting of title to their undivided portions in the children.

EJECTMENT-PROOF OF OUSTER. Where, in ejectment, the answer put in issue the plaintiff's title and right of possession, while it was not denied that defendant was in exclusive possession, holding for himself alone: held, that this was sufficient proof of ouster.

APPEAL from the District Court of the Seventh Judicial District, County of Sonoma

This was an action of ejectment, brought against all of the occupants (over a hundred in number) of the Rancho Laguna de San Antonio, in Sonoma and Marin Counties. Isaac R. Jewell, one of the defendants, answered separately; and the case, so far as he was concerned, was tried, and judgement obtained against him in March, 1870. He afterwards made a motion for a new trial, which being overruled, he took this appeal from the order as well as from the judgement.

The complaint, after giving the title of the Court and names of parties, commences with the declaration that "the "The said plaintiff in this action as well on her own account as on the account of the other heirs and devisees of Francis Salmon, deceased, complains of the above named defendants." It then alleges in the usual form the death of the testator, the leaving of a will, which is set forth in full, its proper probate and issuance of letters testamentary to the plaintiff, and her qualifications; and then follows the allegation that she, "by virtue thereof, possessed herself of the real estate of said testator," etc., as given in the opinion. It also alleges ouster by the defendants, describes the land, and prays judgement of restitution, etc. To this complaint defendant Jewell, previous to putting in his answer, interposed a demurrer on the grounds that it did not state facts sufficient to constitute a cause of action, and that it was ambiguous and uncertain in not plainly setting out the party or parties plaintiff specifically, and in not specifically or in any manner describing the interests which plaintiff had in the lands. The demurrer was overruled.

F. D. Colton, for Appellant.

1. The complaint is insufficient, because it nowhere alleges that Francis Salmon, the testator, was in his lifetime the owner of the land. The allegation that plaintiff "thereupon, by virtue, thereof, possessed herself of the real estate of said testator hereinafter described," is not an allegation that Francis Salmon ever owned the land, or that it belonged to the estate. It is simply a recital to the effect that she possessed herself of the land, as being land of the estate. But this is no allegation of title in any one. A title in her, as executrix, is not set out at all; and no facts are shown to entitle her to recover as such. The allegation that she is seized in fee of an estate of inheritance, as executrix, is an impossible allegation, because an executrix, as such, cannot have an estate of inheritance; she simply has a right of possession, founded upon the title of the testator.

Again the complaint is ambiguous. It appears that the plaintiff complains as well on her own account as on account of the other heirs and devisees of Francis Salmon, deceased, and she alleges that she is seized of an estate of inheritance both as executrix and as heir at law of said testator. We contend that the parties plaintiff are not definitely set out, nor is the title relied on sufficiently alleged.

2. If the deed from Theodosia Bojorques Prudon to Salmon, Bliss and Touchard was not properly acknowledged and certified in accordance with the statute (1 Hittell, 597) it was not executed, and is inoperative (Ewald v. Corbett, 32 Cal. 497.) It is one of the express conditions of the statute that the husband shall not reside in the State on the day of acknowledgment; but this nowhere appears from the certificate. If it is sufficient that the husband was not a resident on the twenty-sixth of February, then it is sufficient if he was not a resident of the first of June following. If the Judge can delay making his certificate for four days, and then certify that on that day he was not a resident, then he can delay for four months, and then certify that on

the day of acknowledgment he was not a resident. For all that appears, the husband 41 may have been present at the time the acknowledgment was taken. He may have been residing in the State, and in the Town of Santa Rosa, on the twenty-second, twenty-third, twenty-fourth, and twenty-fifth of the month; and from the certificate it would be inferred that for those four days he was residing in the State.

3. The deed from Bartolome Bojorques to his children is a deed of bargain and sale, and not a gift. The words of conveyance are, "give, grant, bargain, and sell," all showing upon the face of the deed that it was not a gift. It is not like the deed in *Peck v. Vandenberg*, 30 Cal. 13. In that case the grantees, as appeared from the deed, were the owners of the equitable title to the land, and the grantor simply vested them with the legal title thereto. She states this to be the object of the deed. Her intent to give appears plainly and

unequivocally from the deed itself. Not so with the deed in this case. Here the grantor provides carefully for his money and for the payment of his mortgage. This same deed has been before this court in *Tustin vs. Faught*, 23 Cal. 241, and it was there held that upon its face it was a deed of bargain and sale, and not a deed of gift.

4. Parol evidence is not admissible to vary or modify the conveying elements in a deed, except for the purpose of reforming it on account of fraud. (*McCrea v. Piermont*, 16 Wend. 465; *Westbrook v. Harbison*, 2 McCord Ch. 112; *Ryan v. Goodwin*, McMullen Eq. 451; *Gullett and Wife v. Lamberton*, 1 English, Ark., 109; *Sewell v. Baxter and Wife*, 2 Maryland Ch. Dec. 454, and cases cited; *Natley Young's Estate*, 3 Maryland Ch. Dec. 467; *Crawford v. Spencer*, 8 Cush. 418; *Logan v. Bond*, 13 Ga. 197; *Cook v. Whiting*, 16 Ill. 483; *Attorney General v. Claband*, 31 English L. & Eq. 163.)

5. By the terms of the conveyance the land conveyed was made subject to the payment of the mortgage, according to the conditions and agreements specified therein. This mortgage was for four hundred and fifty dollars, with interest at the rate of ten per cent per month, compounded monthly. The payment of this mortgage might well be a strong inducement to the grantor to make the deed. By the terms of the deed, the grantees were bound to pay this mortgage. Such was the evident intention; and they received it with that understanding, and were bound to fulfill all obligations specified in it. (*Minor v. Terry*, 6 Howe. Pr. 208; *Ferris v. Crawford*, 2 Denio, 595; *Jumel*, 7 Paige Ch. 594; *Belmont v. Gowan*, 22 N. Y. 439; *Maynard v. Maynard*, 4 Edwards Ch. 716; *Notter v. Hughes*, 2 Kerman, 78; *Lewis v. Covillaud*, 21 Cal. 178.) And it makes no difference that the grantee was a feme covert. (*Cross v. Carson*, 8 Blckford, 138; *Barker v. Cobb*, 36 N. H. 344; *Garnett v. Scouten*, 3 Denio, 334.)

6. No Ouster has been shown. Admitting the plaintiff's title, she has made out no case. If she has title, she is merely a tenant in common; and no refusal of joint occupation has been shown.

George Pearce, for Respondent.

1. Though the plaintiff alleged a fee simple, she was not bound to prove it, but might recover on proof of prior possession. (*Morton v. Folger*, 15 Cal. 275; *Stark v. Barrett*, 15 Cal. 361.)

2. The deed of Bartolome Bojorques to his children constituted a gift. (*Gale v. Colburn*, 13 Pick. 297; *Brewer v. Harely*, 22 Pick. 370; *Bryan v. Bradley*, 16 Conn. 474; *Peck v. Vandenberg*, 31 Cal. 11.) If it did not on its face, parol evidence was admissible to show the real consideration. (1 Green. Ev., Sec. 26, Note 1; *Wilkinson v. Scott*, 17 Mas s. 257; *Fairly v. Fairly*, 34 Miss. 18; 2 Wash. on Real Prop. 655, 656, and cases cited; *Barker v. Koneman*, 13 Cal. 9; *Cole v. Saulsby*, 21 Cal. 47; *Bennett v. Solomon*, 6 Cal. 134; *McCrea v. Piermont*, 16 Wend. 460; *Bullard v. Briggs*, 7 Pick. 537; *Wallace v. Wallace*, 4 Mass. 135; *Peck v. Vandenburg*, 30 Cal. 11.)

3. When the different parts of a deed are inconsistent with each other, effect must be given to that part which is calculated to carry into effect the real intention, and that, and that which would defeat it must be rejected. (*Chitty on Cont.* 94; *Walker v. Giles*, E. C. B. 662-702; *Shep. Touch.* 88; 1 Steph Com. 464; *Furnival v. Coombes*, 5 M. & G. 736.)

4. The words used in the deed of Bartolome to his children in reference to his own share, do not constitute a reservation in the sense attempted to be put upon it (*Bou- v. L. Diet.*, Title, Reservation; 2 Wash. on R. P. 686, 687, 692); nor an exception (2 Wash. on R. P. 686; 38 N. N. 212; *Hurd v. Curtis*, 7 Met. 110; *Pelte v. Harris*, 13 Pick. 323); nor a condition (6 Petersdorff's Abr., Title, Condition, 35.) The deed passed an estate in presenti, and created a tenancy in common of the whole tract. (*Lawrence v. Ballou*, 37 Cal. 518; *Schench v. Ency*, 24 Cal. 110; *Lick v. O'Donnell*, 3 Cal. 59; *Gibbs v. Swift*, 12 Cush. 393; *Shrafe v. Wait*, 30 Ver. 738; *Jackson v. Li-*

5. It is Objected that it nowhere appears that the husband of Theodosia did not reside in the State on the day of the acknowledgment to her deed. What is the day of acknowledgment? Clearly, the twenty-second day of February; and the certificate shows that the husband did not reside in, and had not for one year next preceeding that day reside in, the State. The act of certifying an acknowledgment must follow the taking of the acknowledgment; and in such a case as this a reasonable time will be allowed until the testimony, provided in the statute, is taken. The words used in the certificate-whenver that may be made- all refer to the day of acknowledgment; and the words "does not now," etc., used in the certificate here are used in connection with, and in reference to, the word "acknowledged," and are qualified thereby and by intendment of the statute, they being part only of an entire certificate of acknowledgment, made on the twenty-second of February.

6. No question arises in an action of ejectment about an ouster in a case when the defendant denies the plaintiff's title. (2 Greenl. Ev., Sec. 318; Siglar v. Van Kissar, 10 Wend. 414; Carpenter v. Gardner, 29 Cal. 163; Ownenv. Morton, 24 Cal. 373; Marshall v. Shafter, 32 Cal. 194.)

By the Court, CROCKETT, J.:

The demurrer to the complaint, on the ground that it is ambiguous, and does not state facts sufficient to constitute a cause of action, was properly overruled. The facts on which the plaintiff relies might, perhaps, have been stated with more perspicuity; but enough appears in the complaint to render it easy of comprehension and free from reasonable doubt, which is all that is necessary.

Under the second ground of demurrer, it is objected that if the plaintiff can recover at all, it can only be in her capacity of executrix, and not in her own right, and that the complaint fails to alledge any title in her testator to the demanded premises. If this be conceded, the complaint is not necessarily defective. Neither the legal title nor the right of possession may have been in the testator at the time of his death, and yet both may have been since acquired by the plaintiff, in her capacity of executrix, prior to the commencement of the action. After setting forth the will, and alleging that it was duly probated and that letters testamentary were issued to the plaintiff, the complaint avers that "by virtue thereof (she) possessed herself of the real estate of said testator hereinafter described, and ever since then has been, and now is, the owner seized in fee simple of an estate of inheritance of, in, and to all of said land, both as such executrix and as heir at law of said testator, and is now entitled to the possession thereof." This is a sufficient averment of seizin and a right of possession in the plaintiff in her capacity of executrix.

The plaintiff and defendants claim title to the premises in controversy under one Bartolome Bojorques, who, in November, 1851, conveyed to his eight children, as tenants in common, eight ninths, undivided, of the "Rancho Laguna de San Antonio," reserving the remaining one ninth to himself. "to be laid out on that part of said rancho on which I now reside." The deed recites that it was made "for and in consideration of the natural love and affection of the said party of the first part to his children, the said parties of the second part, and in the further consideration of the sum of four hundred and sixty-one dollars, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged." In a subsequent portion of the deed, it is provided that the conveyance is made, "subject, however, to the payments, conditions, and agreements specified and contained in a certain indenture of mortgage" made by said Bartolome Bojorques to one Short, to secure the payment of four hundred and fifty dollars, with interest at the rate of ten per cent per month, on which mortgage there was then due four hundred and fifty dollars, and interest from the eighth day of March preceeding. The mortgage included the whole rancho, which contained six square leagues. One of the children named as a grantee in the deed was Theodosia, then the wife of Victor Prudon, from whom, however, she had been separated for some years next prio to the date of the deed, in which she is described by her maiden name, Theodosia Bojorques, and in which there is no reference to her husband. The plaintiff deraigns title under Theodosia, through a deed made by her, in which her husband did not unite, he being then, and for more than a year next preceeding the execution of the deed, a non-resident of this State, as the plaintiff alleges. The defendants deraign title under certain other of the children named as grantees in the deed of November, 1851; and there has been no partition of the rancho between the several tenants in common, though an action is pending for that purpose.

At the trial, the plaintiff put in evidence the deed from Bartolome to his child-

ren, and offered to prove by parol that it was intended as a deed of gift, and not as a deed of bargain and sale, and that no valuable consideration whatever was paid or agreed to be paid by the grantees. The defendants objected to this proof as incompetent, but the Court admitted it, and the defendants excepted. The plaintiff then offered in evidence the deed from Theodosia, to which the defendants objected, on the ground that it was not acknowledged and certified in the form required by law to enable a married woman to convey her separate estate without uniting her husband in the deed; but the Court admitted the deed, and the defendants

excepted. These rulings are claimed by the defendants to have been erroneous, and constitute the chief grounds of error relied upon on this appeal.

It becomes material, it is said, to determine whether the deed from Bojorques to his children was a deed of gift, or of bargain and sale, for the reason that in the former case the estate conveyed to Theodosia became her separate property and might be alienated by her without joining her husband in the deed, under the circumstances alleged to exist in this case; whereas, if the conveyance from her father was a deed of bargain and sale, made upon a valuable consideration, it is claimed that the estate conveyed became community property, and could not be transferred by her separate deed. In determining the character of the deed, resort must, of course, be had to the instrument itself; and if it can be ascertained from the face of it, interpreted in the light of the surrounding facts, that it was intended to be, in fact, a deed of gift, and that the transaction between Bojorques and his children was a donation, and not a sale, there will be no necessity for the inquiry whether parol evidence was admissible to prove it to be a gift. If the deed itself, viewed in the light of the circumstances under which it was made, establishes the gift, there was no deed of proof aliunde on that point.

In *Peck v. Vandenberg*, 30 Cal. 11, this Court had occasion to consider a deed very similar to that now under discussion. In that case a mother conveyed to her eight children eight ninths of two large tracts of land, reserving one ninth to herself, and the deed recited that it was made "in consideration of the natural love and affection which I have and bear to my said children, and for the further sum of five dollars, to me in hand paid before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged." The only appreciable difference between the recital of the consideration in that deed and in this is, that in the former the money consideration is stated at five dollars, and in the latter at four hundred and sixty-one dollars. In that case the record did not disclose the quantity of land conveyed; but in this case the quantity conveyed to the children was eight ninths of a tract of six square leagues, containing about twenty-five thousand acres, of which more than twenty-one thousand acres was conveyed to the children. In the former case the Court held that the consideration of five dollars, recited in the deed, was merely nominal, and was probably inserted by the scrivener under the belief that some such recital was essential to the validity of the conveyance; and the deed was, therefore, held to be a gift on its face.

I think it is apparent in this case, as in that, on the face of the deed itself, construed in connection with the surrounding facts, that the money consideration named in the instrument was merely nominal, and that the transaction was in fact, a donation, and not a sale. Here was an old man with a family of eight children, most of whom were married and living apart from him, and who was the owner of about twenty-five thousand acres of land situate in one of the most fertile portions of the State. He conveys to all his children eight ninths of this large estate in equal portions, reserving to himself only one ninth, including his homestead, and recites on the face of the deed that it is made "for and in consideration of the natural love and affection of the said party of the first part to his children, the parties of the second part;" and then adds, as a further consideration, the paltry sum of four hundred and sixty-one dollars, which is recited to have been paid to him by the children, equal to about fifty-eight dollars for each child; and each of whom was receiving, under the conveyance, about two thousand seven hundred acres of valuable land. If the recital of this paltry money consideration, so insignificant as compared with the value of the estate, is to convert the transaction into one of bargain and sale, no reason is perceived why the same result would not have ensued if the sum named had been one dollar or one cent for each of the children, instead of fifty-eight dollars. The disproportion between the price named and the value of the estate would only have been a trifle greater in the one case than in the other; but in either case is so enormously large as clearly to indicate that the money consideration did not, in fact, enter into the transaction as one of its material elements. It was clearly the int-

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ention of Bojorques to donate this large and valuable estate to his children in equal portions, and not to sell it to them. Hence we find the conveyance to his married daughters is made to them in their own names, excluding their husbands; and in the case of Theodosia, she is named by her maiden name, and her husband is not referred to. The parties of the deed must be presumed to have known that under the law, as it then was and now is, all property acquired by the wife during the marriage, by gift, bequest, devise, or descent, became her separate estate, and that all acquired otherwise became the common property of the husband without the consent of the wife. It is clear that Bojorques, in conveying this valuable property to his married daughters, had no intention to convey it, practically, to their husbands; and particularly in the case of Theodosia, who had been, for some years, living apart from her husband. But if we should hold that the insertion in the deed of an inconsiderable money consideration by the scrivener who drew it up had the effect to convert the transaction into one of sale, I am convinced we would give the effect of this deed which never entered the minds of the parties to it at the time it was made. When Bojorques conveyed to Theodosia her portion of the land, he little dreamed that he was virtually conveying it to her husband, Prudon, from whom she had been separated for six years. Our statute, which provides that all property acquired by the wife during the marriage, otherwise than by gift, bequest, devise, or descent, shall be common property, and subject to disposition by the husband, could not have been intended to work so flagrant a wrong as would result in this case were we to hold that the deed from Bojorques to his married daughters was in fact, and was intended to be a deed of bargain and sale, and not of gift. But enough appears on the face of the conveyance, when construed in connection with the condition of the parties, their relations to each other, and other circumstances, to render it apparent that the transaction was a donation, and not a sale, in the true sense of the statute defining the rights of husband and wife; and this, too, without the aid of parol evidence to show the actual intention of the parties and the precise facts of the transaction. Some stress, however, is laid upon that clause of the deed which recites that the conveyance is made subject to the "payments, condition, and agreements" contained in the mortgage to Short; and counsel insists that in accepting the deed the grantees became personally liable for, and assumed the payment of the mortgage debt, and that this rendered the transaction a sale, and not a gift. The mortgage to Short is not before us, and we are ignorant of its contents, except that it included the whole rancho, and was made to secure the payment of four hundred and fifty dollars, with interest at ten per cent per month from March 8th, 1851. This recital is but a declaration of the grantor that the whole tract was then subject to the mortgage to Short; and such recitals are usually inserted in deeds conveying mortgaged premises, in order to rebut a presumption that the existence of the mortgage had been concealed from the grantee. But a recital of this character imposes no obligation on the grantee to pay the mortgage debt unless there be some other clause in the deed indicating that such was the understanding and agreement of the parties. Deeds are construed most strongly against the grantor, and in the absence of any provision importing that the grantee shall assume upon himself the payment of a prior mortgage upon the premises, no such obligation arises. I find nothing in this deed indicating such an understanding.

I am aware that in *Tusting v. Faught*, 23 Cal. 241, this particular deed from Bojorques to his children was under consideration, and was held to be a deed of bargain and sale, and not a deed of gift. But from the report of the case this point does not appear to have been argued by counsel, or carefully considered by the Court. The opinion of the Court, by Mr. Justice CROCKER, does not attempt an analysis of the deed, and, on this point, is unsatisfactory. I think the Court fell into an error in deciding on the character and legal effect of the instrument.

The next point urged by the appellant is, that the deed from Theodosia to Salmon, Bliss, and Touchard, is inoperative and void as a conveyance, because of a defect in the certificate of acknowledgment. The statute of February 14th, 1855 (Stats. 1855, p. 12), provides in what manner a married woman may convey her separate estate, in the absence of her husband. It requires the acknowledgment to be made before the District Judge of the county in which the land is situate, and only authorizes such a conveyance to be made by the wife, when the husband was not, and for one year next preceding the execution of the instrument had not been bona fide, residing in this State. The second section required that the Judge taking the acknowledgment shall, "before he certify the same, be satisfied by the oaths of at least two credible, disinterested citizens of this State, that the husband of such married woman does not, and for one year preceding the year the day of acknowledgment has not, resided in thi-

s State, which fact, and the names of the witnesses by whom the same was proved, shall be recited in the certificate of acknowledgment." 45

The acknowledgment in this case was taken before the proper Judge, whose certificate is dated February 26th, 1859, and states that the deed was acknowledged by the wife on the 22d February, 1859, and that he is satisfied by the oaths of four credible, disinterested citizens of this State (whose names are given), that Victor Prudon, the husband of said Theodosia, "does not now reside, and for one year next preceding the 22d day of February A. D. 1859, has not resided, within the State of California." The only objection taken to this certificate is, that it does not state, as is alleged, that on the twenty-second of February (the day of the acknowledgment) the husband was not a resident of this State. It is conceded that the certificate states, that on the twenty-sixth of February, and for one year next preceding the twenty-second of February, Prudon was not a resident of this State; but it is said there is nothing in the certificate to show that on the twenty-second (the day of the acknowledgment) he was not residing in this State. This objection is hypercritical and untenable. If such fine-spun technicalities as this should prevail in interpreting certificates of acknowledgment, there would be but little safety in land titles. The certificate was manifestly intended to speak as of the day of acknowledgment; and when it says Prudon is not "now" a resident, it must be referred to the day of the acknowledgment, and not to the date of the certificate, four days later. The statute contemplates that some time may possibly elapse after the acknowledgment, and before the certificate, in order to make the necessary proofs as to the non-residence of the husband, and until the proof is made the transaction is continuous, and is finally terminated by the completed certificate, which speaks as of the day of acknowledgment. This certificate is clearly good.

Another point made by the appellant is that the deed from Bojorques to his children was inoperative to vest the legal title in them until after the one ninth reserved by him had been definitively located so as to locate his homestead. But there is no force in this proposition. There is nothing in the deed to indicate that the actual location of the one ninth was intended as a condition precedent to the vesting of the title. On the contrary, that clause of the deed was designed to be only a specification, in general terms, of the manner in which the reserved one ninth should be thereafter located on a final partition between Bojorques and his children. The provision for the location contains none of the elements of a condition precedent.

The only remaining ground of error relied upon is that there was no proof of the ouster complained of. But the answer puts in issue the plaintiff's title and right of possession; and even on this appeal it is insisted that the plaintiff has neither title nor right of entry, whilst it is not denied that the defendant is in the exclusive possession, holding for himself alone, and not for himself and the plaintiff, as one of his cotenants. Under all the authorities this is sufficient proof of ouster. (Owen v. Morton, 24 Cal. 373; Carpentier v. Gardiner, 29 Cal. 163; Marshall v. Shafter, 32 Cal. 194; 10 Wend. 414; 2 Greenl. Ev., Sec. 318.)

Judgment affirmed

Mr. Justice Temple, being disqualified, did not participate in the decision of this case.

Marin Journal, Apr. 23, 1873.

Patent from U.S. to Bartolome Bojorques, for 24, 903 42/100 acres. This patent was signed in 1871, and is but just recorded.

9-17-1874

The Bojorques Case

Following is the decision of the Supreme Court in the Bojorques case rendered on Tuesday. This case has been in litigation nearly fifteen years:

GATES VS. SALMON, No. 4336.—The deed made by John McBrown to W. H. Dalton and others, dated October 14, 1865, contains an exception of a tract of land described by metes and bounds, and the title which John McBrown retained in the exception was of the same nature, quality and extent as that which he held immediately before the conveyance was executed. The findings and decree in respect to the land excepted from the operation of that deed are correct.

It is ordered that the interlocutory decree filed March 14, 1874, be modified by striking from each of the paragraphs thereof numbered from 'forty-ninth' to 'sixty-ninth,' both inclusive, the words 'Rancho Laguna de San Antonio,' and inserting in

the place thereof 'tract of land.'

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The paragraph of the decree immediately following that which is numbered 'seventieth' is ordered to be modified by striking out the words 'quantity and quality relatively considered with reference to the whole of said land.'

Note: There are five tracts labeled H. Gates on San Antonio Mtn. in the south-part of the rancho. Salmon Creek goes along the south of the Mtn. The McBrown reservation was the south-west area. 1878 Sonoma Co. Atlas.

The next succeeding paragraph is ordered to be modified by inserting between the words 'any' and 'prejudice' the word 'substantial,' so that the clause will read, 'without any substantial prejudice or injury.'

The next succeeding paragraph is ordered to be modified by striking out the following sentence, to wit: "And that the referees are also instructed that in making allotments to the different parties of their respective fractions of interest in said rancho, as herein adjudged to them, the referees must set off such fractions to the respective owners thereof in one body, and in as compact a form as may be."

The order denying John McBrown's motion for a new trial is affirmed, and it is further ordered that the cause be remanded, with directions to modify the decree as above expressed, and that when so modified, it stand affirmed; and that the appellants except John Brown, recover the costs paid by them to the Clerk of the Court, and \$20 for printing a portion of the transcript. Remittitur forthwith.

Marin Journal, March 11, 1875

Over \$100,000 have been expended in litigation regarding the Bojorques ranch. It is believed that the survey and partition now progressing will be accepted as a final decision of the case

The Weekly Argus, Petaluma July 23, 1875

The Commissioners appointed by Judge Morrison, of the Fourth District Court, to partition the Bojorques rancho in accordance with decisions of the District and Supreme Courts, have completed their labors and will present their report in Judge Morrison's Court on Friday next. The report includes carefully executed maps of the whole tract and a minute description of each piece of land allotted to claimants. The Commissioners, E. C. Hinshaw, A. Higgins and J. M. Charles, commenced their labors some nine months ago, and have been employed most of the time since in making the partition. We are informed by parties competent to judge, who have critically examined the report, that it is one of the most complete, intelligible and comprehensive documents of the kind ever prepared in California. If accepted by Judge Morrison, as it doubtless will be, the report will be recorded in the Recorder's offices of Sonoma and Marin Counties. The work of the Commissioners gives satisfaction to nearly all the parties interested, and it is believed that a final settlement of this important case has at last been reached. We are informed that the expenses of the partition will be between \$8000 and \$10,000. The litigation in this case was commenced over fifteen years ago, and has cost between \$60,000 and \$75,000.

The Weekly Argus, Petaluma March 16, 1877

BOJORQUES COST BILL

The Referee Report on the cost bill in the case of Gates vs. Salmon, has been filed in the Clerk's office of San Francisco. Following is the cost: The total amount of costs allowed is \$35,485 41; divided as follows: Gates, the plaintiff, \$3,942 78; S. A. Marshall, \$458 15; W. P. Bullard, \$217 76; John McBrown, \$520; Salmon, \$2,629 86; L. Vestal, \$645 90; H. Mecham, \$433 86; H. P. Finch, \$269 52; W. H. Dalton, \$269 52; Caleb Railsback, \$552 95; H. Gibbs, \$134 76; J. A. Rainard, \$269 52; W. H. Dalton and others, \$7,359 12; L. W. Walker, \$2,439 52; Colton & Schowebeda, \$422 82; A. Godoy, \$1,047 73; Colly E. Jewell, \$416 58; L. R. Jewell, \$2,086 59; J. & E. Denman, \$1,121 52; J. Freeman, \$385 07; W. H. Pepper, \$226 74; Willis Faught, \$105 13; John Sales, \$105 13; J. Q. Cowles, \$52 56; J. A. Purrington, \$946 54; Hamilton Gaston, \$245 84; A. J. Stanley, \$211 81; A. McNamar, \$72 98; C. Purvine, \$487 75; R. Leavey, \$634 11; G. W. Johns on, \$299 44; Hugh Gaston, \$245 84; Martha Gaston, \$245 84; Robt. Andrews, \$124 12; S. Q. Barlow, \$119 24; Jno. Schowebeda, \$153 41; John Giberson, \$221 36; N. A. Clark, \$388 33; Chas. Weigand, \$ 65 20; P. Ferguson, \$46 16; F. D. Colton, \$464 17; C. Warner, \$176 29; O. P. and M. E. Cameron, \$100 21; S. M. Martin, \$120 97; J. Purvine, \$17 27; John Allen, \$196 53; Joseph Wallace, \$49 87; E. B. Torrance, \$50 56; W. A. Lewis, \$86 29; - Goatley, \$43 52; Rutheford & Giacomini, \$ 310 53; Schowebeda & Colton, \$334 16; John P. Stanley, \$274 59; A. T. Wilson, \$630; Abbey Frazier, \$164 10; W. Robson, \$173 60; David Morrow, \$452 33; Geo. W. Freeman, \$218 14; Collins & Miner, \$99 35; A. Huntly, \$ 200 48; D. Frazier, \$104 90; A. Talamantes, \$15 55;

B.A. Lewis, \$633 49. The above constitutes the total costs as taxed to the several parties, litigants in the suit, of which amount the following sums were allowed to the commissioners: J.M. Charles, \$2,008; E. C. Hinshaw, \$ 1, 347 70; A. Higgins, \$ 1,388; Charles Hinshaw and Higgins, \$1,308 75; - Belden (Reporter), \$180; L.D. Latimer, \$2,329; Wm. Ordway, \$2,079; J. H. McNabb, \$1 919. The parties will have untill the 28th inst. to file objections to the above report, when it, will come before the court for final adjustment.

Marin Journal, May 10, 1877

Bojorques Case--There has been a stay of proceedings in the case of Gates Vs. Salmon, and it is understood that some of the parties intend to appeal to the Supreme Court. This suit has been pending some 16 years, and has cost the litigants about \$35,000, independant of attorney's fees and incidental expenses. It has twice been before the Supreme Court on different questions, and it is unlikely that all parties will be satisfied.

Marin Journal, Jan. 3, 1878

Bojorques--The Bojorques League Association hold weekly meetings in this city on Saturdays. We are informed that the affairs of the League are about settled up, nearly all of its property being finally disposed of. The litigation concerning this grant commenced 17 years ago, and the court costs amount to upwards of \$36,000, besides attorney's fees and personal expenses of interested parties, which aggregate as much as the above named sum.

Marin Journal, April 25, 1878

Ejectments on the Bojorques--Several months ago a decision was rendered in the famous Bojorques ranch case, by the 4th District Court, against many of the occupants of the land. The matter here rested, but the law's delays, untill a few days since, when writs of possession were issued, and then came the trouble. Sheriffs Tunstead and Dinwiddie have the unpleasant business of executing these writs, and ejecting the claimants in possession, some of whom have passed the better part of their lives there. One man, Mr. Talamantes, who had 70 acres, and owned under a warranty deed, and on which he has lived 20 years, is dispossessed of all but 20 acres. Other sufferers are Mchail, Freeman, and J. Mc M. Brown the latter losing 2,194 acres.. There are several tenants on Mr. Brown's portion, one of whom is Mr. Garzoli. It is in many instances a case of excessive hardship.

Assessment Roll for the year 1859 for Marin County. Sent by Charmaine Burdell

Bartholemew Bojorques			
Improvements	300	300	
3 tame Cal Cows	25	75	
3 Cal Calves	6	18	
1 " horse	50	50	
2 Cal Oxen	50	100	543

from: Expediente 483, National Archives, Social and Economic Records Division, Group 49,
Washington, D.C.

This photostat is of the Land Grant Map (diseno) part of the papers of ownership of the rancho granted to Bartolome Francisco Bojorques. The ranch was occupied in 1837 and seems to have included the earlier military post of San Vicente de la frontera del norte. The map was drawn in 1844 by a German draftsman named William Benitz according to his testimony in Land Case 61ND after the American occupation. This accounts for the misspelled names.

Legend: Pidres. Santiago de las dos piedras. The chert outcrops are shown with the Camino de Bodega - road from Bodega going between. Near the bottom of the map it says Camino de San Rafael, the Mission. Springhill Road partly follows this trail.

Llano - plain

poso de agua - well

Tamales - The Tamil Indians who lived at a widening of Stemple Creek called the Bolsa de Tamales. A rancho was granted by this name to Juan Nepomuceno Padilla. The widening of the Creek was later called Burbank Lake after after the older brother of Luther Burbank whose home still stands above the creek which reaches the Pacific as the Estero de San Antonio. The Russians called it Tam-
alanika Creek.

Canada - canyon or valley now Chileno Valley.

A. Bojorce - The adobe of Angel de la Luz Bojorques who was a son of the grantee. The black rectangle is the adobe which was torn down in 1938. The shaded area is a sown field. The blank rectangles are corrals.

Juan Bojorce - Another son of the grantee.

B. Bojorce - The large rectangle in black is the adobe of Bartolome Francisco Bojorques. The smaller one is the palizada built in the year of occupation. A palizada was built of logs stuck in the ground and covered with adobe and topped by a thatched roof.

Laguna San Antonio - the crescent shaped lake shown going around the hill. This hill was called La Lomita Alta, the high little hill.

Arrollo (arroyo) - San Antonio. This creek is now part of the Marin-Sonoma County line.

Lindera de Juan Martin - boundary of Juan Martin the grantee of Rancho Corte Madera de Novato. Timber was cut here.

Lindera de Juan Miranda - boundary of Juan Miranda's rancho Arroyo de San Antonio, San Antonio Creek. The western part of Petaluma is on this land grant.

The arrow pointing north is not quite correct. William Benitz testified that his compass was weak.

Roger Rehm, gt. gt, gt, gt grandson
of Bartolome Francisco Bojorques.

U.S. Survey Plats: March 1857, Ph. R. Thompson, Deputy Surveyor. National Archives,
Social & Economic Records Division, Record Group 49.
Show only boundary
data. Washington, D.C.

Copy of above, 1859. Bancroft Library, U. of Cal. Berkeley
Copy in the State of Calif. Archives, Sacramento. Not as much
detail.

Federal Land Case copy
of the William Benitz
diseno of Rancho Laguna
de San Antonio. 61 ND

Bancroft Library,
U. of Cal, Berkeley

de
Bartholome
Bojorce

Escala de una legua

San Antonio
Juan Miranda

Ilano

Camino de San Antonio

pozo de agua

Ilano

Canada

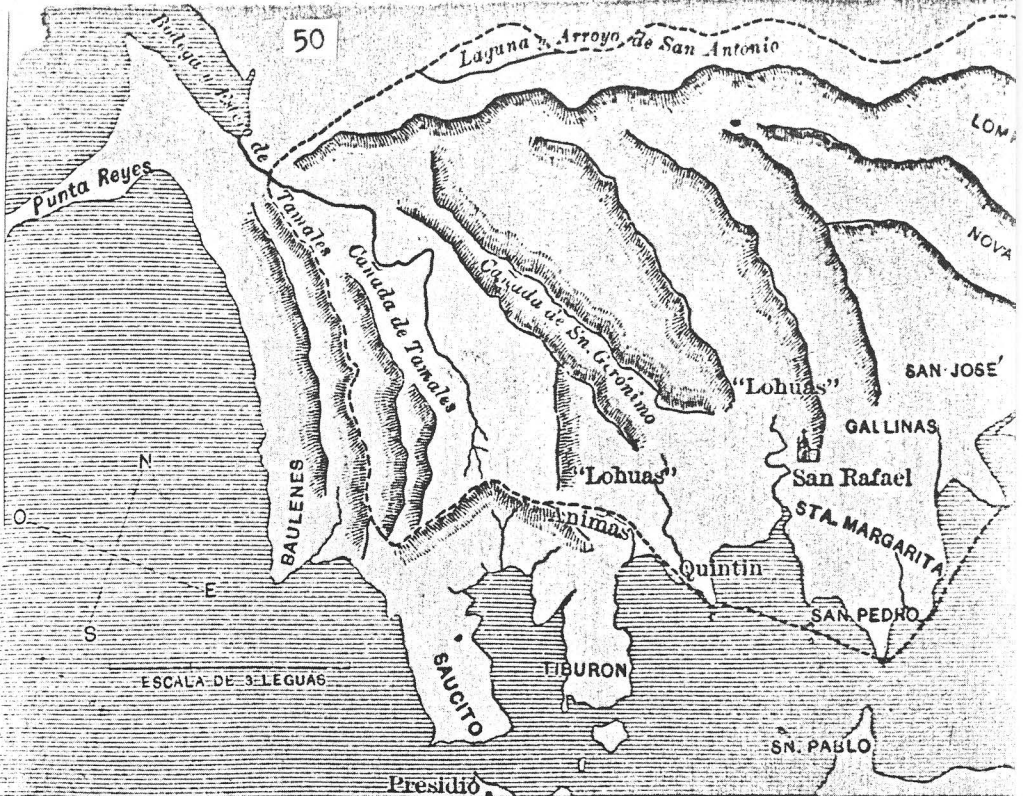
Tringales

San Antonio de Juan Martin

Tringales

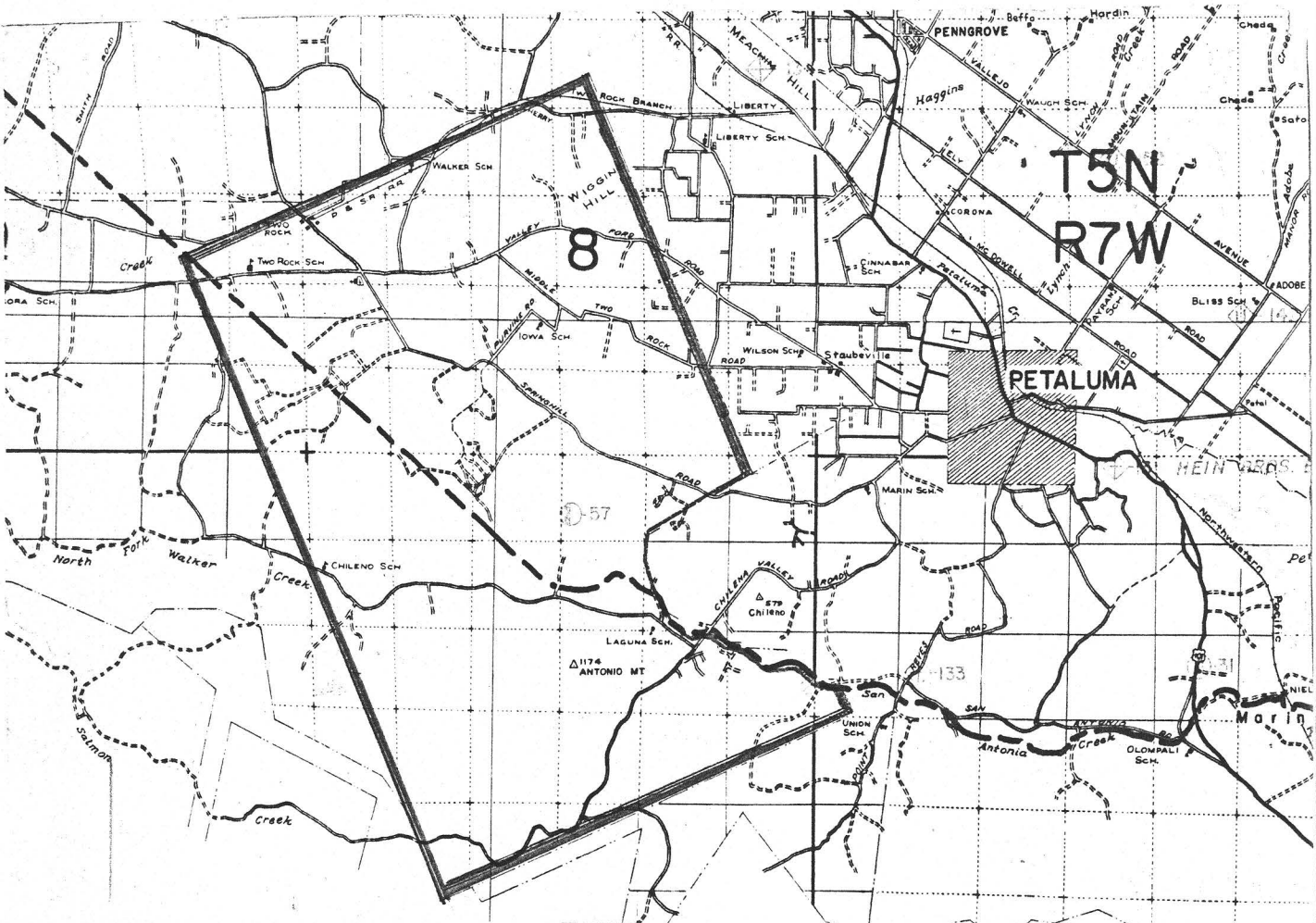
This is a copy of a Spanish map of the area that would become Marin County after the U.S. Takeover. H.H. Bancroft, Hist. of Calif. Vol. III, p. 717.

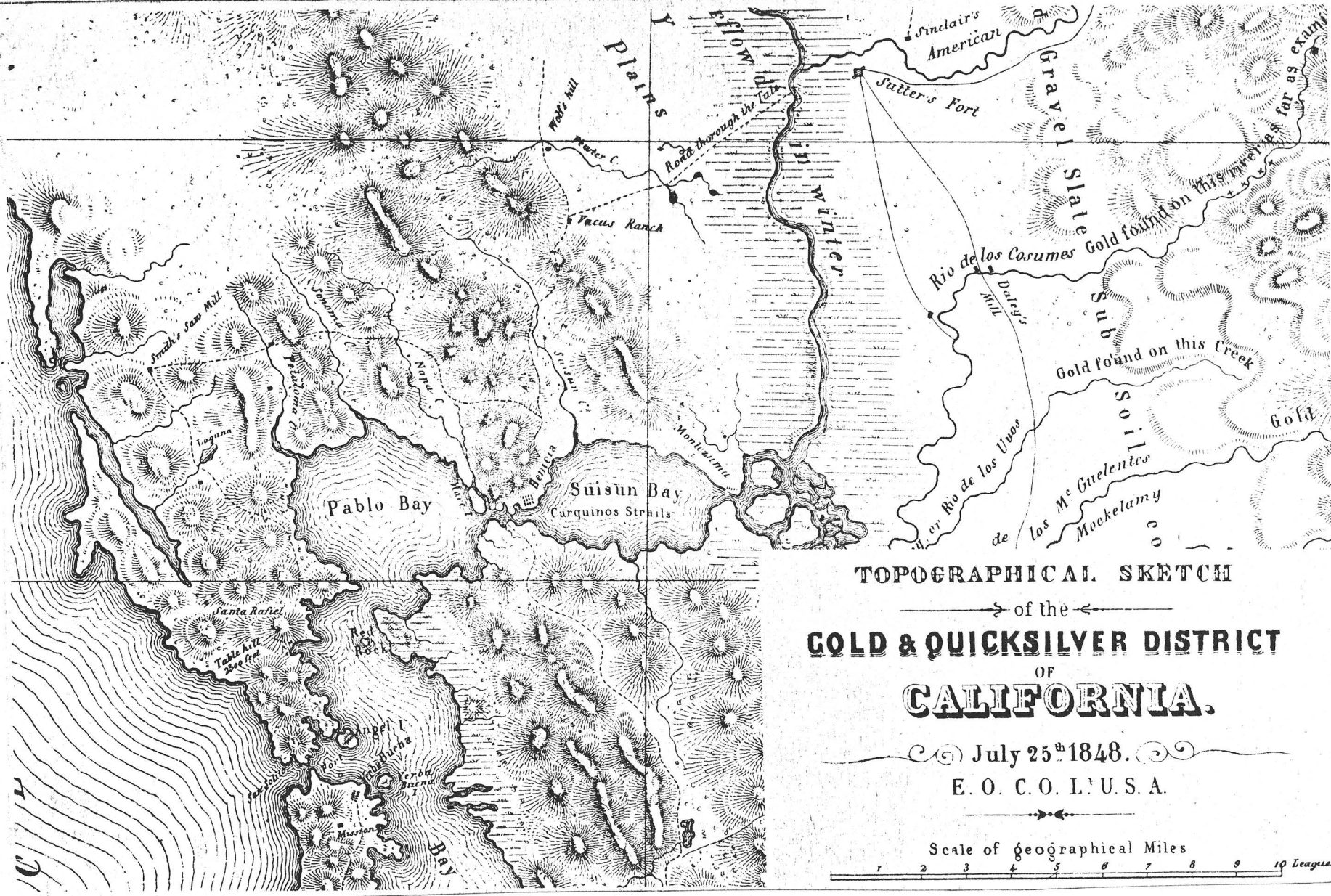
See also S. ANTONIO in print but without any natural features. Vol. V, p. 163.



CALIFORNIA HISTORICAL SOCIETY
 from Californias Missions
 Yesterday and Today
 by Spencer Crump

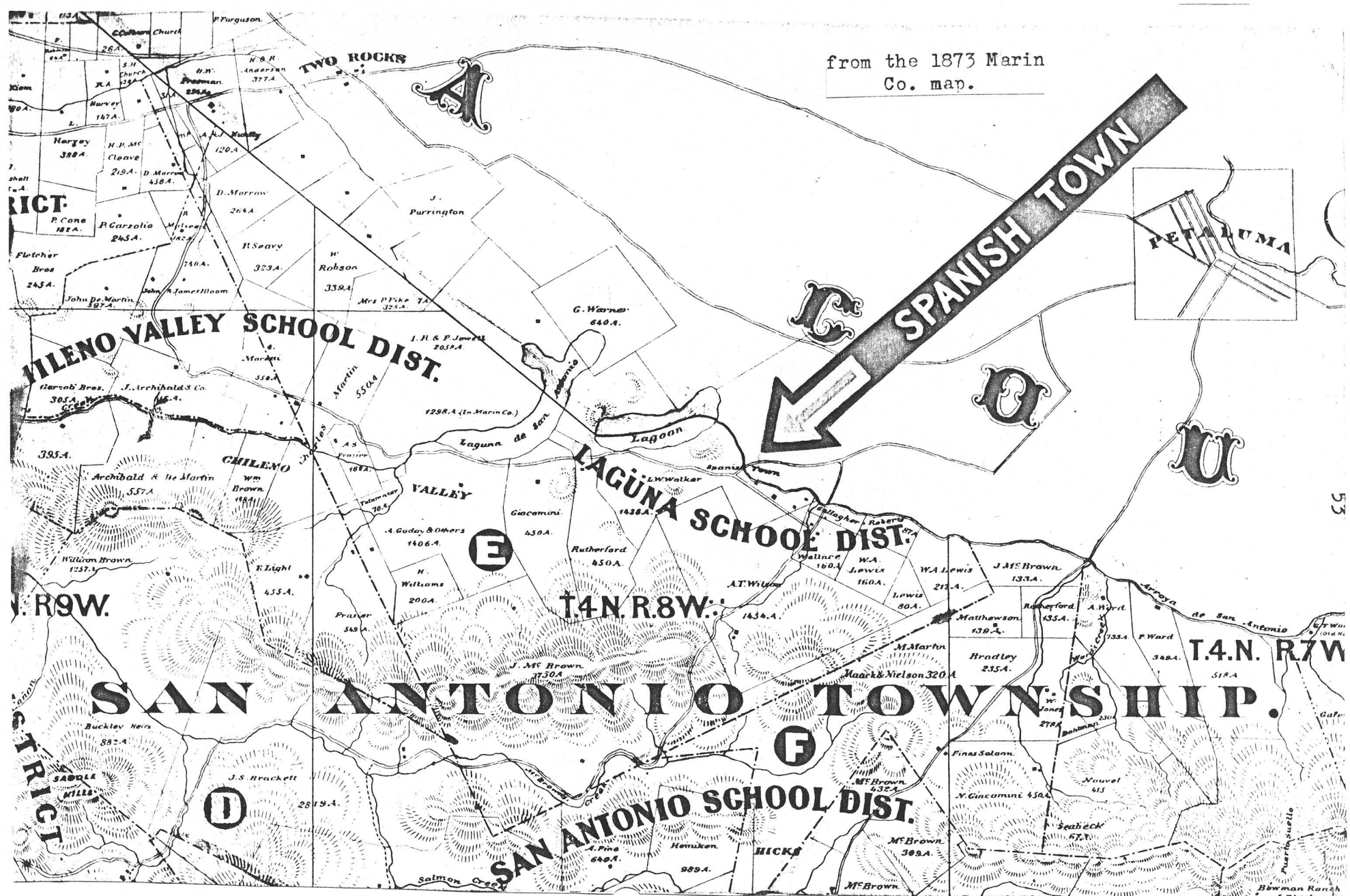
The missions had vast land boldings during the Spanish period, but lost most of their property under the Mexican regime. This map shows the boldings of Mission San Rafael, north of San Francisco in 1834.





Note the Laguna at the Bojorques site.

from the 1873 Marin
Co. map.

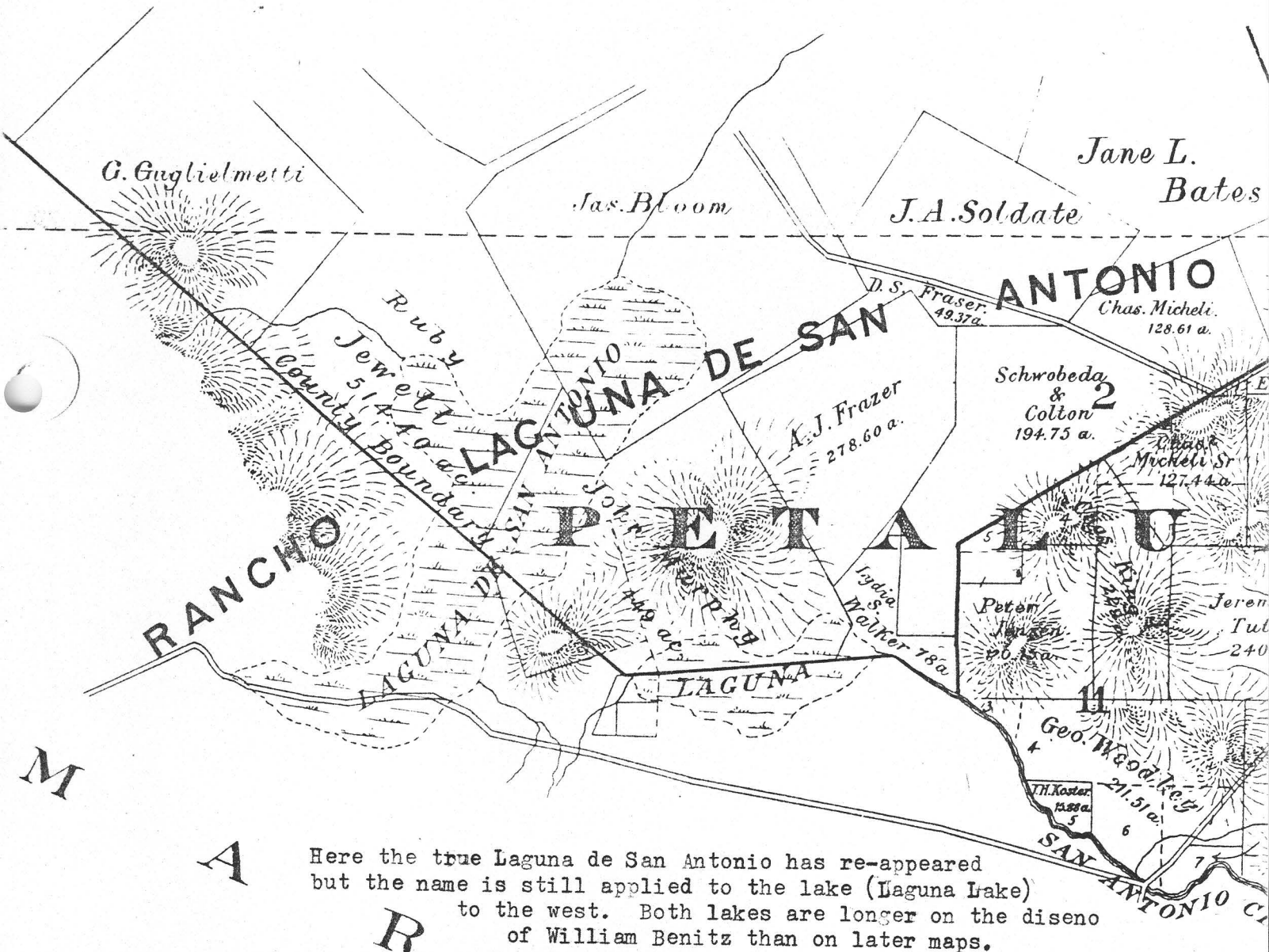


The 1880 Marin Co. History said Spanish Town was 30 acres and that descendants of the grantee lived there.

1898

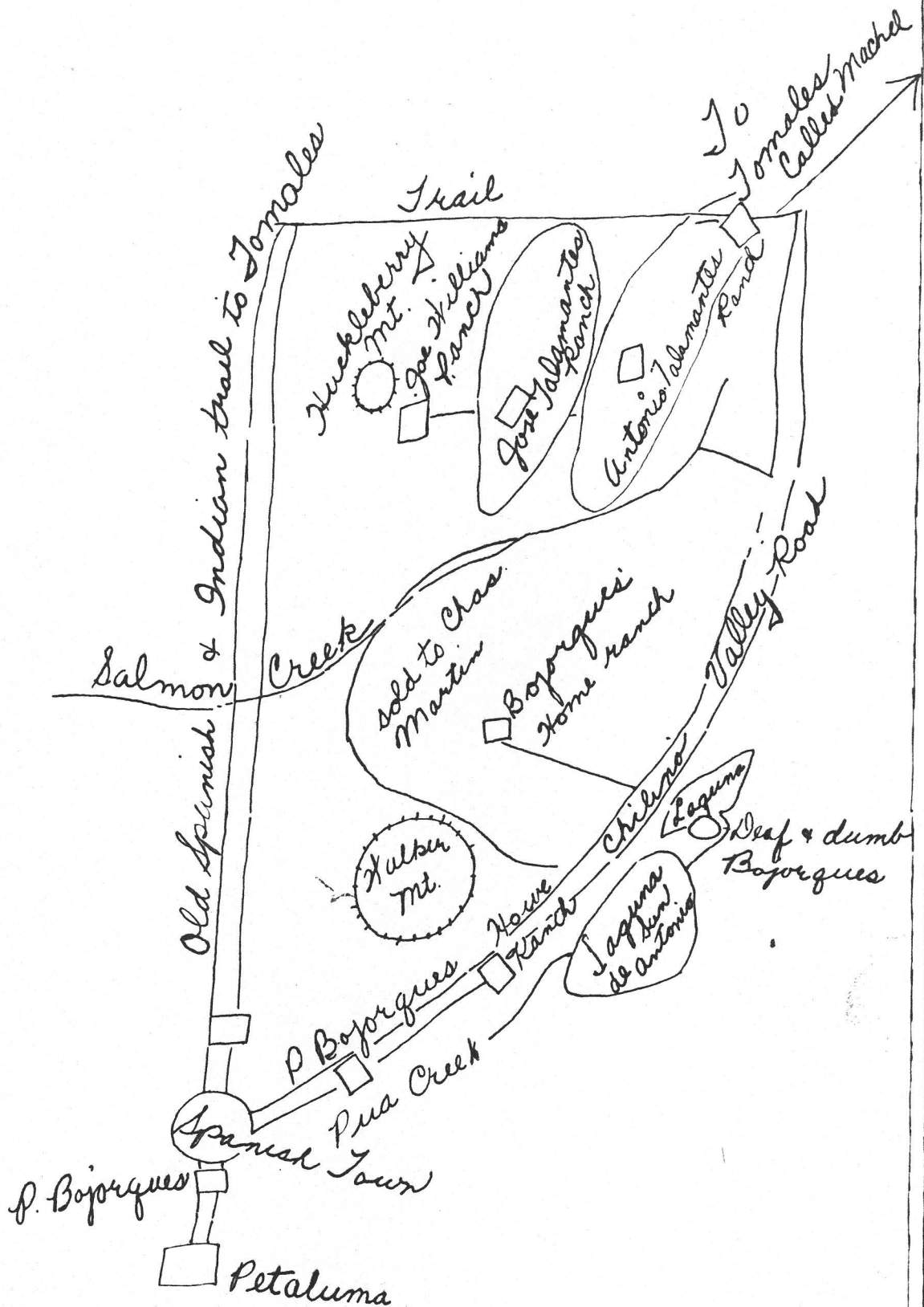
from the Sonoma County Atlas of 1898

SEE PAGE 63



T. 4 N. R. 8 W. C

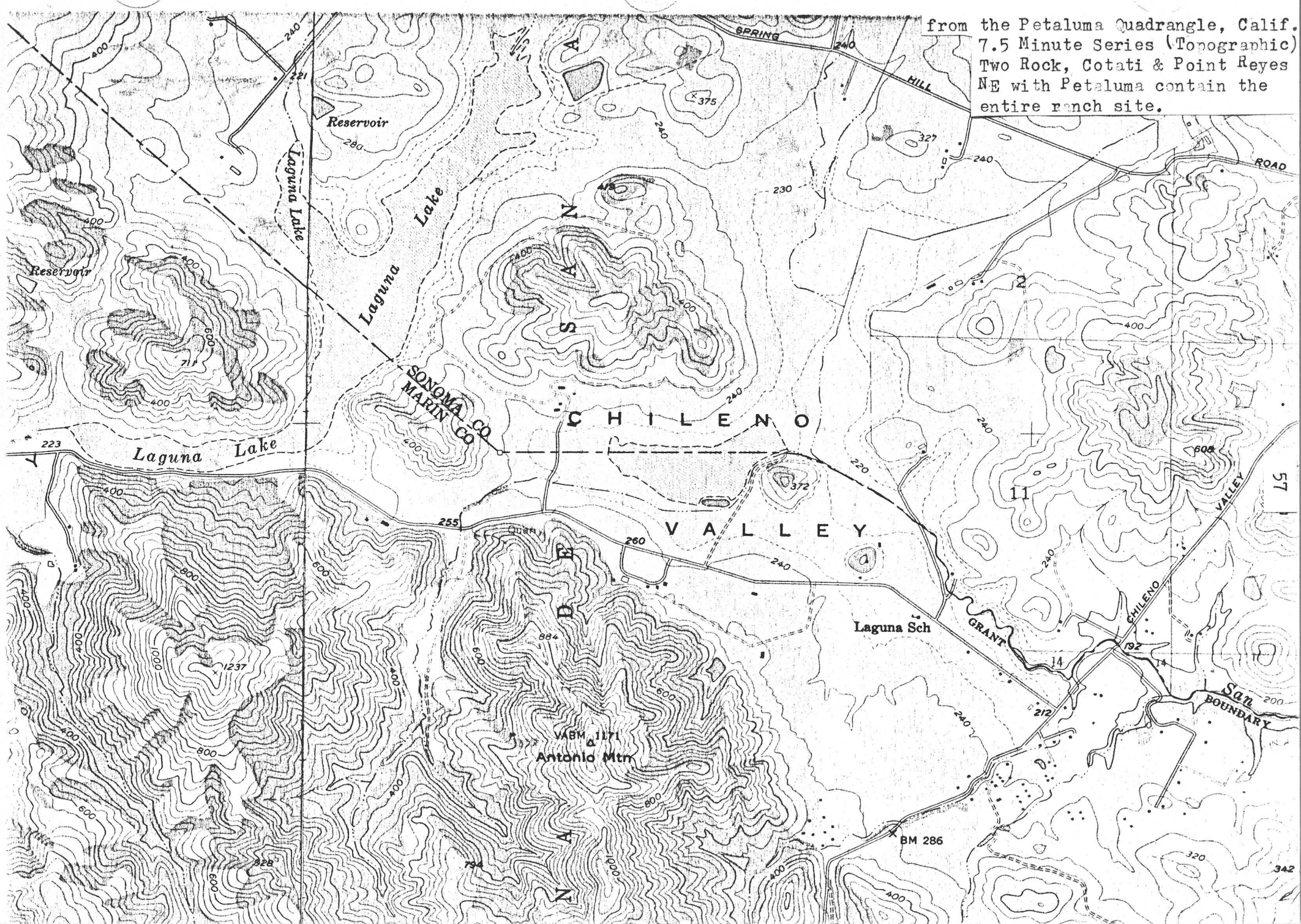
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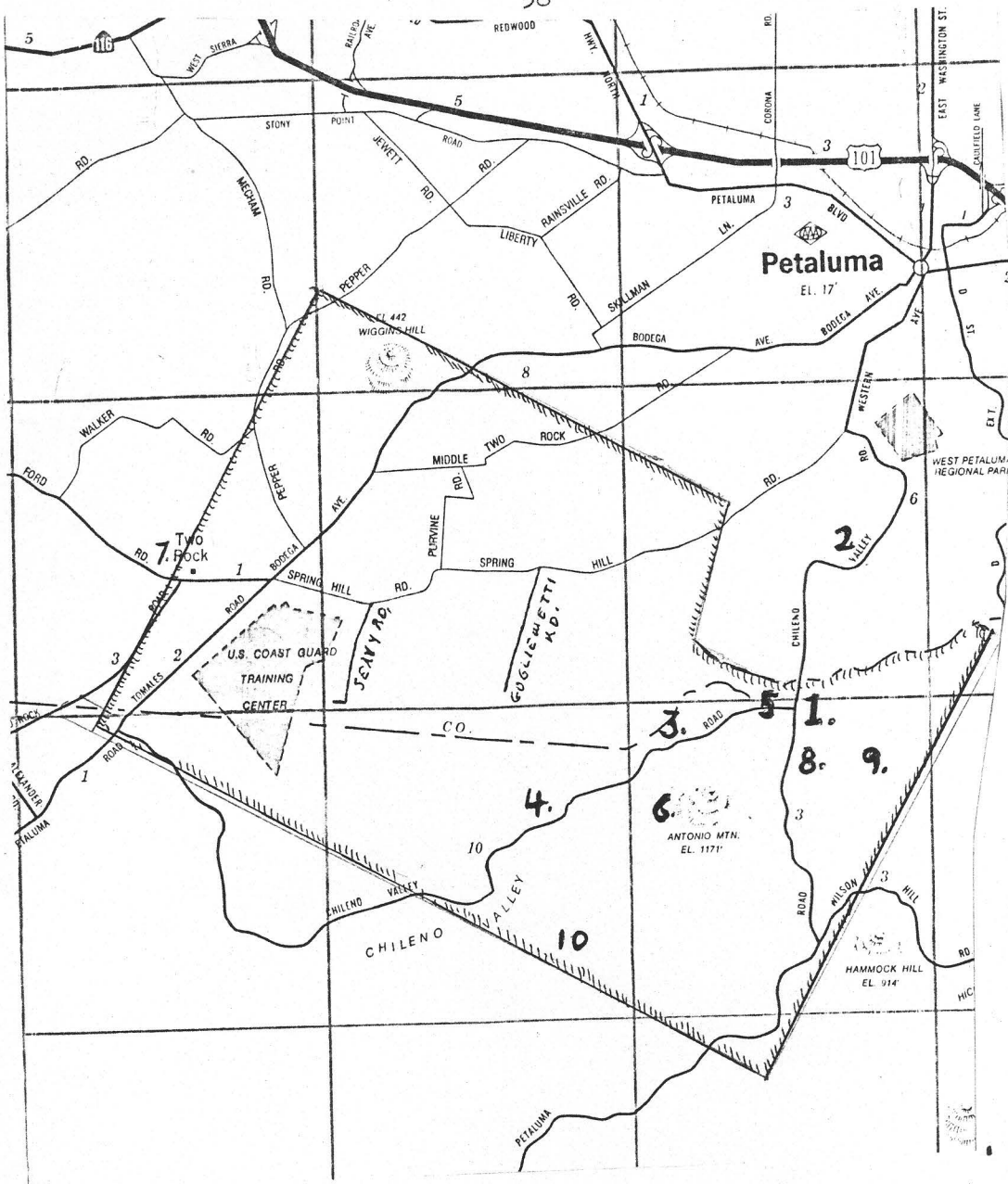


CHILENO VALLEY

Copy of map drawn by Enos Valencia, who was born in a Spanish Town nearly 100 years ago.

from the Petaluma Quadrangle, Calif.
7.5 Minute Series (Topographic)
Two Rock, Cotati & Point Reyes
NE with Petaluma contain the
entire ranch site.





from the AAA map of Marin Co.

See pp. 10, 11, 12.

1. Amayelle or San Vicente. Amayelle was the Indian name and San Vicente of the Northern Frontier or Canada de San Vicente, the Spanish.
2. Melaya. Site of an Indian Village from Kroeber's Handbook of Calif. Indians.
3. Ocolom or Laguna de San Antonio.
4. Laguna Lake.
5. Spanish Town.
6. San Antonio Mtn.
7. Santiago de las Dos Piedras, Two Rock.
8. Associated with Joaquin Murrietta. Slopes with small oaks and outcrops.
9. Portazuela de San Antonio. Part of trail from Mission San Rafael to Bodega.
10. Site of Jose Williams rancho

2008~507~19